

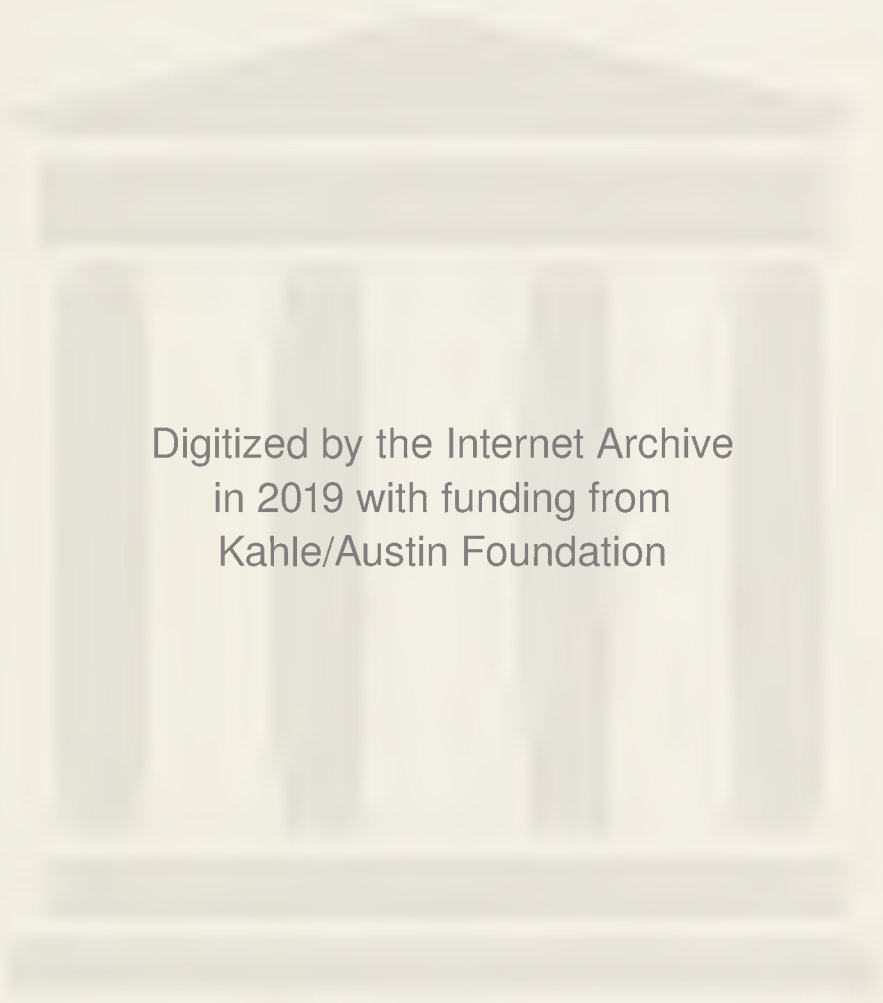


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# Foreign Relations of the United States 1948

Volume I

General;  
The United Nations

(in two parts)  
Part 1



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## PREFACE

Part 1 of this volume was prepared under the direct supervision of the late S. Everett Gleason, former editor of *Foreign Relations*, and Fredrick Aandahl, the present editor, with the assistance of Ralph R. Goodwin in planning and direction.

Mr. Goodwin compiled and edited all of the documentation in part 1.

The editors acknowledge with appreciation the assistance provided them by the historians of the Department of Defense, including those of the Joint Chiefs of Staff.

The technical editing of this volume was the responsibility of the Publishing and Reproduction Division, Willard M. McLaughlin, Chief. The index for part 1 was prepared by Francis C. Prescott.

Part 2 will include documentation on national security policy, atomic energy, foreign economic policy, and Antarctica.

WILLIAM M. FRANKLIN  
*Director, Historical Office*  
*Bureau of Public Affairs*

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### PRINCIPLES FOR THE COMPILATION AND EDITING OF "FOREIGN RELATIONS"

The principles which guide the compilation and editing of *Foreign Relations* are stated in Department of State Regulation 2 FAM 1350 of June 15, 1961, a revision of the order approved on March 26, 1925, by Mr. Frank B. Kellogg, then Secretary of State. The text of the regulation, as further amended, is printed below:

1350 DOCUMENTARY RECORD OF AMERICAN DIPLOMACY

1351 *Scope of Documentation*

The publication *Foreign Relations of the United States* constitutes the official record of the foreign policy of the United States. These volumes include, subject to necessary security considerations, all documents needed to give a comprehensive record of the major foreign policy decisions within the range of the Department of State's responsibilities, together with appropriate materials concerning the facts which contributed to the formulation of policies. When further material is needed to supplement the documentation in the Department's files for a proper understanding of the relevant policies of the United States, such papers should be obtained from other Government agencies.

1352 *Editorial Preparation*

The basic documentary diplomatic record to be printed in *Foreign Relations of the United States* is edited by the Historical Office, Bureau of Public Affairs of the Department of State. The editing of the record is guided by the principles of historical objectivity. There may be no alteration of the text, no deletions without indicating where in the text the deletion is made, and no omission of facts which were of major importance in reaching a decision. Nothing may be omitted for the purpose of concealing or glossing over what might be regarded by some as a defect of policy. However, certain omissions of documents are permissible for the following reasons:

- a. To avoid publication of matters which would tend to impede current diplomatic negotiations or other business.
- b. To condense the record and avoid repetition of needless details.
- c. To preserve the confidence reposed in the Department by individuals and by foreign governments.
- d. To avoid giving needless offense to other nationalities or individuals.
- e. To eliminate personal opinions presented in despatches and not acted upon by the Department. To this consideration there is one qualification—in connection with major decisions it is desirable, where possible, to show the alternatives presented to the Department before the decision was made.

1353 *Clearance*

To obtain appropriate clearances of material to be published in *Foreign Relations of the United States*, the Historical Office:

- a. Refers to the appropriate policy offices of the Department and of other agencies of the Government such papers as appear to require policy clearance.
- b. Refers to the appropriate foreign governments requests for permission to print as part of the diplomatic correspondence of the United States those previously unpublished documents which were originated by the foreign governments.

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## INTRODUCTORY NOTE

### AMERICAN FOREIGN POLICY: SELECTED PUBLIC DOCUMENTS

Beginning with the year 1950, *American Foreign Policy*, a companion series to *Foreign Relations of the United States*, provides systematic coverage of the principal messages, addresses, statements, and reports made in a given period that indicate the scope, goals, and implementation of the foreign policy of the United States. For the immediately preceding years, 1945–1949 inclusive, the present series, *Foreign Relations*, will provide under this heading a brief indication of certain major documents in these categories. The present listing covers the year 1948. It does not purport to be complete, of course, and as a rule items dealing primarily with United States relations with particular countries will be noted in the compilations for those countries. Many of the items cited below are also referred to in appropriate compilations in the various volumes for 1948, which are organized as follows:

- 1948, volume I, General; The United Nations (in two parts)
  - volume II, Germany and Austria
  - volume III, Western Europe
  - volume IV, Eastern Europe; The Soviet Union
  - volume V, The Near East, South Asia, and Africa (in two parts)
  - volume VI, The Far East and Australasia
  - volume VII, The Far East: China
  - volume VIII, The Far East: China
  - volume IX, The Western Hemisphere

#### I. MAJOR PUBLIC STATEMENTS OF AMERICAN FOREIGN POLICY

- “American Aid in Restoring the European Community”: Address by the Counselor of the Department of State (Bohlen) at Madison, Wisconsin, January 5, 1948. Department of State *Bulletin* (hereinafter cited as *Bulletin*), January 18, 1948, pp. 78–82.
- Annual Message of the President to the Congress on the State of the Union. January 7, 1948. (As delivered in person before a joint session.) *Public Papers of the Presidents of the United States: Harry S. Truman, 1948* (Washington, Government Printing Office, 1964) (hereinafter cited as *Public Papers: Truman, 1948*), pp. 1–10.
- Assistance to European Economic Recovery. Statement by the Secretary of State (Marshall) before the Senate Committee on Foreign Relations on January 8, 1948. *Bulletin*, January 18, 1948, pp. 71–77.
- Relation of European Recovery Program to American Foreign Policy. Statement by the Secretary of State (Marshall) before the House Committee on Foreign Affairs on January 12, 1948. *Ibid.*, January 25, 1948, pp. 112–114.

- Annual Budget Message of the President to the Congress: Fiscal Year 1949. January 12, 1948. (Released January 12, 1948. Dated January 6, 1948.) *Public Papers: Truman, 1948*, pp. 19–59.
- “The Stake of the Businessman in the European Recovery Program”: Address by the Secretary of State (Marshall) at Pittsburgh, Pennsylvania, January 15, 1948. *Bulletin*, January 25, 1948, pp. 108–111.
- Foreign Relief Assistance Act of 1948. Hearings Held in Executive Session Before the Committee on Foreign Relations, United States Senate, Eightieth Congress, Second Session, on United States Assistance to European Economic Recovery, Aid to China, Continued Assistance to Greece and Turkey, Additional Money for the International Children’s Emergency Fund, and the Nomination of Paul G. Hoffman as Administrator of the Economic Cooperation Administration. (Executive hearings held on February 9, 10, 11, 12, 13, 17, 24, 26, and 28, and March 15, 17, 20, 22, and 25 and April 7, 1948; made public June 11, 1973.) Historical Series. Committee print.
- “Survival of Democracy Dependent on Success of ERP”: Address by the Secretary of State (Marshall) at Des Moines, Iowa, February 13, 1948. *Bulletin*, February 22, 1948, pp. 231–232.
- Special Message of the President to the Congress on the Need for Assistance to China. February 18, 1948. *Public Papers: Truman, 1948*, pp. 144–146.
- The United States, France, and the United Kingdom Condemn Development in Czechoslovakia. Declaration issued jointly and simultaneously in Washington, Paris, and London, February 26, 1948. *Bulletin*, March 7, 1948, p. 304.
- Special Message of the President to the Congress Requesting Extension of the Reciprocal Trade Act. March 1, 1948. *Public Papers: Truman, 1948*, pp. 168–170.
- Communist Seizure of Power in Czechoslovakia. Statement by the Secretary of State (Marshall), March 10, 1948. *Bulletin*, March 21, 1948, p. 381.
- “Cool Judgment Urged in Solving World Crisis”: Address by the Secretary of State (Marshall) in Washington, D.C., March 11, 1948. *Ibid.*, pp. 374–375.
- Special Message of the President to the Congress on the Threat to the Freedom of Europe. March 17, 1948. (As delivered in person before a joint session.) *Public Papers: Truman, 1948*, pp. 182–186.
- Relation of Military Strength to Diplomatic Action. Statement by the Secretary of State (Marshall) before the Armed Services Committee of the Senate on March 17, 1948. *Bulletin*, March 28, 1948, pp. 421–422.
- “World-Wide Struggle Between Freedom and Tyranny”: Address by the Secretary of State (Marshall) in Berkeley, California, March 19, 1948. *Ibid.*, pp. 422–425.
- The Situation in Palestine. Statement by the Secretary of State (Marshall) at a news conference in Los Angeles, California, March 20, 1948. *Ibid.*, p. 408.
- Statement by the President on the Signing of the Charter of the International Trade Organization. March 24, 1948. *Public Papers: Truman, 1948*, p. 190.
- “Completion of ITO Charter Hailed as Hope for Troubled World”: Statement by the Department of State. March 25, 1948. With related materials, *Bulletin*, April 4, 1948, pp. 441–445.
- “Interdependence of the Americas”: Address by the Secretary of State (Marshall) at Bogotá, Colombia, April 1, 1948. *Ibid.*, April 11, 1948, p. 469.
- Statement by the President Upon Signing the Foreign Assistance Act of 1948. April 3, 1948. *Public Papers: Truman, 1948*, p. 203.
- “Freedom of Information Throughout World Insures Peace”: Address by

- William Benton, Chairman, U.S. Delegation to the Freedom of Information Conference at Geneva. Delivered before the Anglo-American Press Club in Paris, April 7, 1948. *Bulletin*, April 18, 1948, pp. 518-520.
- Special Message of the President to the Congress Urging Approval of a Loan to the United Nations for the Construction of Its Permanent Headquarters. April 7, 1948. *Public Papers: Truman, 1948*, pp. 206-207.
- Special Message of the President to the Congress on Economic Aid to Latin America. April 8, 1948. *Ibid.*, pp. 207-208.
- Address of the President Before a Joint Session of the Congress in Observance of the 50th Anniversary of Cuban Independence. April 19, 1948. *Ibid.*, pp. 224-226.
- Letter From the President to Secretary of Commerce Harriman Following His Nomination as U.S. Special Representative in Europe. April 22, 1948. *Ibid.*, pp. 226-227.
- Strengthening the United Nations. Statement by the Secretary of State (Marshall) before the House Committee on Foreign Affairs on May 5, 1948. *Bulletin*, May 16, 1948, pp. 623-625.
- Statements by the President and the Secretary of State, May 11 and 12, 1948, and related materials concerning statements by the Ambassador in the Soviet Union (Smith) on May 4 and the Soviet Minister for Foreign Affairs (Molotov) on May 9. *Bulletin*, May 23, 1948, pp. 679-686.
- The Vandenberg Resolution and the North Atlantic Treaty. Hearings Held in Executive Session Before the Committee on Foreign Relations, United States Senate, Eightieth Congress, Second Session, on S. Res. 239, Reaffirming the Policy of the United States To Achieve International Peace and Security Through the United Nations and Indicating Certain Objectives To Be Pursued, and Eighty-First Congress, First Session, on Executive L, The North Atlantic Treaty. (Executive hearings held on May 11, 12, and 19, and June 3, 1948, and February 18, March 8, April 5, 12, 19, and 21, and June 2 and 6, 1949; made public August 1973). Historical Series. Committee print.
- Statement by the President Announcing Recognition of the State of Israel. May 14, 1948. *Public Papers: Truman, 1948*, p. 258.
- "Achievements of the Bogotá Conference": Address by Norman Armour, Assistant Secretary of State for Political Affairs, at Washington, D.C., on May 12, 1948. *Bulletin*, May 30, 1948, pp. 714-715.
- "Soviet Violations of Treaty Obligations": Document Submitted by the Department of State to the Senate Committee on Foreign Relations. *Ibid.*, June 6, 1948, pp. 738-744.
- "Firm and Determined Course for the Democracies": Address by the Secretary of State (Marshall) in Portland, Oregon, on May 28, 1948. *Ibid.*, pp. 744-746.
- "American Peace Policy": Address by the President at Berkeley, California. June 12, 1948. *Public Papers: Truman, 1948*, pp. 336-340.
- "Why and How We Came To Find Ourselves at the Havana Conference": Address by William L. Clayton, Adviser to the Secretary of State, at Washington, D.C., on June 15, 1948. *Bulletin*, June 27, 1948, pp. 825-827.
- Statement by the President Announcing an Agreement With the Provisional Government of Israel. June 22, 1948. *Public Papers: Truman, 1948*, p. 382.
- Statement by the President Upon Signing the Displaced Persons Act. June 25, 1948. *Ibid.*, pp. 382-384.
- Statement by the President Upon Signing the Trade Agreements Extension Act. June 26, 1948. *Ibid.*, p. 385.



- Statement by the President Upon Signing the Foreign Aid Appropriation Act. June 28, 1948. *Ibid.*, pp. 385-386.
- Statement by the Secretary of State (Marshall) Concerning Signing of Economic Cooperation Agreements. June 28, 1948. *Bulletin*, July 11, 1948, p. 43.
- Note from the Secretary of State (Marshall) to the Soviet Ambassador (Panyushkin) concerning the Soviet blockade of Berlin. July 6, 1948. *Ibid.*, July 18, 1948, pp. 85-86.
- "U.S. Information Program": Address by George V. Allen, Assistant Secretary of State for Public Affairs, at South Hadley, Massachusetts, on June 29, 1948. *Ibid.*, July 18, 1948, pp. 88-91.
- Statement by the President Reviewing Two Years of Experience With the Atomic Energy Act. July 24, 1948. *Public Papers: Truman, 1948*, pp. 414-416.
- Message of the President to the Special Session of the 80th Congress. July 27, 1948. *Ibid.*, pp. 416-422.
- "Economic Factors in U.S. Foreign Policy": Address by Winthrop G. Brown, Director of the Office of International Trade Policy, at Laramie, Wyoming, on August 2, 1948. *Bulletin*, August 15, 1948, pp. 203-207.
- Policy Toward the New Korean Government. Statement issued by the Department of State, August 12, 1948. *Bulletin*, August 22, 1948, p. 242.
- "The United Nations Charter: A Standard for Conduct Among Nations": Address by the Secretary of State (Marshall) at Washington, D.C., September 15, 1948. *Ibid.*, September 26, 1948, pp. 400-401.
- "No Compromise on Essential Freedoms": Address by the Secretary of State (Marshall) at the Third Regular Session of the General Assembly of the United Nations, at Paris, September 23, 1948. *Ibid.*, October 13, 1948, pp. 432-435.
- "The Struggle for Human Rights": Address by Mrs. Franklin D. Roosevelt, U.S. Representative to the Commission on Human Rights, at Paris, September 28, 1948. *Ibid.*, October 10, 1948, pp. 457-460.
- Freedom of Information. Statement by the Secretary of State (Marshall). October 1, 1948. *Ibid.*, p. 473.
- Statements by the President and the Secretary of State concerning the progress of the various United Nations bodies in Paris and on the situation in Europe. October 9, 1948. *Ibid.*, October 17, 1948, pp. 483-484.
- Statement by the President on Israel. October 24, 1948. *Public Papers: Truman, 1948*, pp. 843-844.
- United Nations Day. Statement by the Secretary of State (Marshall) in Paris on October 24, 1948. *Bulletin*, October 31, 1948, pp. 548-549.
- The Voice of America. Article by George V. Allen, Assistant Secretary of State for Public Affairs. *Ibid.*, November 7, 1948, pp. 567-571.
- Address of the President Before the Food and Agriculture Organization of the United Nations. November 24, 1948. *Public Papers: Truman, 1948*, pp. 948-950.
- "General Assembly Adopts Declaration of Human Rights": Statement by Mrs. Franklin D. Roosevelt, U.S. Representative to the General Assembly of the United Nations. December 9, 1948. *Bulletin*, December 19, 1948, pp. 751-752.
- "United States Concerned at Overthrow of Governments in Certain American Republics": Statement issued by the Department of State, December 21, 1948. *Ibid.*, January 2, 1949, p. 30.
- "The Role of the Department of State in Coordinating Foreign Aid": Address by George C. McGhee, Coordinator for Aid to Greece and Turkey, at Chicago, Illinois, on December 29, 1948. *Ibid.*, January 9, 1949, pp. 53-59.

## II. MAJOR APPOINTMENTS AND RETIREMENTS IN THE DEPARTMENT OF STATE DURING 1948

Willard L. Thorp, Assistant Secretary of State for Economic Affairs, was designated as Coordinator for the European Recovery Program, effective January 19, 1948.

George V. Allen entered on duty on March 31, 1948, as Assistant Secretary of State for Public Affairs.

The appointment of Henry R. Labouisse, Jr., as Coordinator for Foreign Aid and Assistance in the Office of the Under Secretary of State was announced on June 16, 1948.

Norman Armour resigned as Assistant Secretary of State for Political Affairs, effective July 15, 1948.

## III. THE ORGANIZATION, PERSONNEL, AND ACTIVITIES OF THE DEPARTMENT OF STATE AND THE FOREIGN SERVICE

For detailed information on the organization, personnel, and activities of the Department and the Foreign Service, see the *Bulletin* (issued weekly) and the following serial publications of the Department of State:

*The Biographic Register.*

*Foreign Service List.*

*International Information and Education Exchange Program.*

*Report to the Congress on the Lend-Lease Operations, Transmitted by the President.*

The names of the principal officers of the Department are also listed in the appropriate editions of the *Congressional Directory* and the *United States Government Manual*.

For information on treaties and agreements, see

*Treaties and Other International Agreements of the United States of America, 1776-1949.* By Charles I. Bevans.

*Treaties and Other International Acts Series* (TIAS), published since 1946 as a sequel to the Department of State *Treaty Series* and *Treaties in Force*.

For information on developments in international law, see

*Digest of International Law.* By Marjorie M. Whiteman.

For detailed information on these publications as well as on numerous others of a more specialized character, see *Publications of the Department of State, October 1, 1929 to January 1, 1953* (Washington, D.C., 1954), and *Major Publications of the Department of State: An Annotated Bibliography* (Washington, D.C., 1973).

## IV. PARTICIPATION OF THE UNITED STATES IN INTERNATIONAL CONFERENCES AND ORGANIZATIONS

In addition to the extensive documentation provided in this volume and in other volumes of *Foreign Relations*, there is systematic cover-

age of American participation in international conferences and organizations in the *Bulletin* and in the following other publications of the Department of State:

*United States Participation in the United Nations.* Annual reports by the President to the Congress.

*List of International Conferences and Meetings, With Annotations.*

*Participation of the United States Government in International Conferences, Including the Composition of U.S. Delegations and Summaries of the Proceedings.*

*International Organizations in Which the United States Participates.*

For detailed information on these publications, see the guides listed in the final paragraph of section III, above.



## LIST OF ABBREVIATIONS AND SYMBOLS

EDITOR'S NOTE.—This list does not include standard abbreviations in common usage; unusual abbreviations of rare occurrence which are clarified at appropriate points; and those abbreviations and contractions which, although uncommon, are understandable from the context.

- ADP, Airport Development Program  
 AEC, (United Nations) Atomic Energy Commission  
 A.F. of L., American Federation of Labor  
 AMG, Allied Military Government  
 Am Reps, American Republics  
 ARA, Office of American Republic Affairs, Department of State  
 ATC, Air Transport Command  
 AV, Aviation Division, Department of State  
 BC, Division of British Commonwealth Affairs, Department of State  
 BOT, Board of Trade (British)  
 C, Office of the Counselor, Department of State  
 CAA, Civil Aeronautics Administration  
 CCA, United Nations Commission for Conventional Armaments  
 CCC, Commodity Credit Corporation  
 CEEC, Committee for European Economic Cooperation  
 CFM, Council of Foreign Ministers  
 CIA, Central Intelligence Agency  
 cirtel, circular telegram  
 CIU, Combined Intelligence Unit  
 CON, Office of Controls, Department of State  
 CP, Division of Commercial Policy, Department of State  
 CP, Communist Party  
 CPC, Combined Policy Committee  
 Delga, series indicator for telegrams from the United States Delegation at the first part of the third session of the United Nations General Assembly, September–December 1948  
 Delsec, series indicator for telegrams to the United States Delegation at the Council of Foreign Ministers and related conferences and meetings, at times headed by the Secretary of State  
 Depcirtel, Department of State circular telegram  
 Deptel, Department of State telegram  
 E, Office of the Assistant Secretary of State for Economic Affairs, Department of State  
 EAS, Executive Agreement Series  
 ECA, Economic Cooperation Administration  
 ECEFP, Executive Committee on Economic Foreign Policy  
 ECOSOC, Economic and Social Council of the United Nations  
 ED, Division of Investment and Economic Development, Department of State  
 Emb, Embassy  
 Embtel, Embassy telegram  
 EP, Division of Economic Property Policy, Department of State  
 ERP, European Recovery Program  
 EUCOM, European Command, United States Army  
 EUR, Office of European Affairs, Department of State  
 Eximbank, Export-Import Bank of Washington  
 FAO, Food and Agriculture Organization  
 FBI, Federal Bureau of Investigation, Department of Justice  
 FC, Division of Foreign Activity Correlation, Department of State

- FE**, Office of Far Eastern Affairs, Department of State  
**FEA**, Foreign Economic Administration  
**FinMin**, Finance Minister  
**FLC**, Foreign Liquidation Commissioner, Department of State  
**FN**, Division of Financial Affairs, Department of State  
**FonMin**, Foreign Minister  
**FonOff**, Foreign Office  
**FonSec**, Secretary of State for Foreign Affairs  
**ForMin**, Foreign Minister  
**Frito**, series indicator for telegrams from the United States Delegation at the United Nations conference on trade and employment, Habana, November 1947–March 1948  
**FTT**, Free Territory of Trieste  
**G**, Office of the Assistant Secretary of State for Political Affairs, Department of State  
**GA**, General Assembly of the United Nations  
**Gadel**, series indicator for telegrams to the United States Delegation at the first part of the third session of the United Nations General Assembly, September–December 1948  
**GATT**, General Agreement on Tariffs and Trade  
**GOI**, Government of India  
**GTI**, Division of Greek, Turkish, and Iranian Affairs, Department of State  
**H.J. Res.**, House of Representatives Joint Resolution  
**HR**, designation for legislation introduced in the House of Representatives  
**IADB**, Inter-American Defense Board  
**IC**, Interim Committee of the United Nations General Assembly  
**ICITO**, Interim Commission, International Trade Organization  
**ICJ**, International Court of Justice  
**IEFC**, International Emergency Food Committee  
**ILO**, International Labor Organization  
**IMF**, International Monetary Fund  
**infotel**, information telegram  
**IO**, Bureau of International Organization Affairs, Department of State  
**IR**, Division of International Resources, Department of State  
**IS**, Division of International Security Affairs, Department of State  
**ITO**, International Trade Organization  
**ITP**, Office of International Trade Policy, Department of State  
**JCCAE**, Joint Congressional Committee on Atomic Energy  
**JCS**, Joint Chiefs of Staff  
**Kr**, Swedish Kronor  
**L**, Office of the Legal Adviser, Department of State  
**LA**, Latin America  
**LL**, lend-lease  
**L/UNA**, Assistant Legal Adviser for United Nations Affairs in the Office of the Legal Adviser, Department of State  
**MAP**, Military Assistance Program  
**Marit Comm**, Maritime Commission  
**Martel**, series indicator for telegrams from Secretary of State Marshall while away from Washington  
**mfn**, most favored nation  
**MG**, Military Governor (Government)  
**MIC**, Subcommittee on Military Information Control, State-Army-Navy-Air Force Coordinating Committee  
**MLC**, Military Liaison Committee  
**MOS**, Minister of Supply (British)  
**MSC**, Military Staff Committee of the United Nations Security Council  
**mytel**, my telegram  
**NAC**, National Advisory Council on International Monetary and Financial Problems  
**NEA**, Office of Near Eastern and African Affairs, Department of State  
**NEI**, Netherlands East Indies  
**niact**, night action, communications indicator requiring attention by the recipient at any hour of the day or night  
**NME**, National Military Establishment  
**NOE**, Division of Northern European Affairs, Department of State  
**NRDB**, (National) Research and Development Board

- NSC, National Security Council  
 NSRB, National Security Resources Board  
 OEEC, Organization of European Economic Cooperation  
 OFD, Office of Financial and Development Policy, Department of State  
 OFLC, Office of the Foreign Liquidation Commissioner, Department of State  
 OIE, Office of Information and Educational Exchange, Department of State  
 OIR, Office of Intelligence Research, Department of State  
 OIT, Office of International Trade, Department of Commerce  
 OMGUS, Office of Military Government in Germany (United States)  
 ourtel, our telegram  
 PAA, Pan American Airways  
 PCA, Policy Committee on Arms and Armaments, Department of State  
 PED, Petroleum Division, Department of State  
 PICAQ, Provisional International Civil Aviation Organization  
 PL, Division of Public Liaison, Department of State  
 PPS, Policy Planning Staff, Department of State  
 PreCom, Preparatory Committee of the International Conference on Trade and Employment  
 QR, quantitative restrictions  
 RAC, Executive Committee on Regulation of Armaments  
 reDeptel, regarding Department of State telegram  
 reEmbtel, regarding Embassy telegram  
 reftel, reference telegram  
 reurtel, regarding your telegram  
 S, Office of the Secretary of State  
 S/P, Policy Planning Staff, Department of State  
 S/S, Executive Secretariat, Department of State  
 S/S-PR, Protocol Staff, Executive Secretariat, Department of State  
 SA-M, Office of the Special Assistant to the Secretary of State (Press Relations), Michael J. McDermott  
 SANACC, State-Army-Navy-Air Force Coordinating Committee  
 SC, Security Council of the United Nations  
 S.J. Res., Senate Joint Resolution  
 SOA, Division of South Asian Affairs, Department of State  
 SWNCC, State-War-Navy Coordinating Committee  
 SYG, Secretary-General of the United Nations  
 TA, trade agreement  
 TEC, technical cooperation  
 TIAS, Treaties and Other International Acts Series  
 Toito, series indicator for telegrams to the United States Delegation at the United Nations conference on trade and employment, Habana, November 1947-March 1948  
 Torep, series indicator for messages from the Economic Cooperation Administration headquarters in Washington to the United States Special Representative in Europe under the Foreign Assistance Act of 1948  
 TRC, Office of Transport and Communications, Department of State  
 TS, Department of State Treaty Series  
 U, Office of the Under Secretary of State  
 UKDel, United Kingdom Delegation  
 UMT, Universal Military Training  
 UN, United Nations  
 UNA, Office of United Nations Affairs, Department of State  
 UNAEC, United Nations Atomic Energy Commission  
 UNESCO, United Nations Educational, Scientific and Cultural Organization  
 UNGA, United Nations General Assembly  
 UNI, International Administration Staff, Office of United Nations Affairs, Department of State  
 UNO, United Nations Organization  
 UNP, Division of United Nations Political Affairs, Department of State

UNRRA, United Nations Relief and Rehabilitation Administration	USDel, United States Delegation
UNS, Division of International Security Affairs, Department of State	USIS, United States Information Service
UNSC, United Nations Security Council	USPolAd, United States Political Adviser
UNTS, United Nations Treaty Series	UST, <i>United States Treaties and Other International Agreements</i>
urinfo, your information	USUN, United States Mission at the United Nations
urtel, your telegram	VD, Visa Division, Department of State
USA, United States Army	WE, Division of Western European Affairs, Department of State
USAEC, United States Atomic Energy Commission	
USAF, United States Air Force	



## ORGANIZATION AND ARRANGEMENTS FOR THE CONDUCT OF UNITED STATES RELATIONS WITH THE UNITED NATIONS <sup>1</sup>

### *Editorial Note*

The representation of the United States at the United Nations at the beginning of 1948 was governed by the United Nations Participation Act of December 20, 1945 (59 Stat. 619). This representation consisted of a collectivity of United States officials named individually to represent the United States on the principal organs and commissions of the United Nations, and appointed by the President of the United States "by and with the advice and consent of the Senate".

By 1948 the United States Representative at the Seat of the United Nations had become by custom and practice and then by executive order (1947) the principal United States officer at the United Nations. He was also: Chief of the United States Mission to the United Nations (USUN); United States Representative on the Security Council; Senior United States Representative on the United States Delegation to the General Assembly, when a delegation was in existence and in the absence of the President of the United States and/or the Secretary of State; United States Representative on the United Nations Atomic Energy Commission; and United States Representative on the Commission on Conventional Armaments (of the Security Council). At the beginning of 1948 the holder of these several positions was Warren R. Austin, formerly United States Senator from Vermont, who held the personal rank of Ambassador Extraordinary and Plenipotentiary.

Other United States officers at the United Nations holding the rank of United States Representative included (at the beginning of 1948) the United States Representative on the Economic and Social Council, Mr. Willard R. Thorp, and the United States Representative on the Trusteeship Council, Mr. Francis B. Sayre. Members of a United States Delegation to the General Assembly (as appointed for particular sessions of the General Assembly) were designated as United States Representatives. All functioned under the United States Representative at the United Nations.

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<sup>1</sup> Continued from *Foreign Relations*, 1947, vol. I, pp. 1-13.

The 1945 Participation Act made no provision for a Deputy Representative of the United States at the United Nations. This anomalous situation was engaging the attention of the appropriate officers of the Department of State at the beginning of 1948.

At the opening of the year Ambassador Herschel V. Johnson, an officer of the Foreign Service of the United States, represented the United States at the United Nations as Deputy United States Representative on the Security Council. Ambassador Johnson was also Deputy Chief of the United States Mission to the United Nations, and in effect functioned as Acting United States Representative at the United Nations in the absence of Ambassador Austin. Also representing the United States at the Deputy Representative level were two Deputy United States Representatives on the Economic and Social Council, Messrs. Leroy D. Stinebower and Walter M. Kotschnig; and the Deputy United States Representative on the Trusteeship Council, Mr. Benjamin Gerig.

United States military representatives on the Military Staff Committee of the Security Council at this time included: Lt. Gen. Matthew B. Ridgway (Army), Admiral W. K. Hewitt (Navy) and Lt. Gen. H. R. Harmon (Air Force).

For information regarding the representation of the United States on other bodies of the United Nations in 1948, and in the Specialized Agencies, see Department of State Publication 3437 (1949), *United States Participation in the United Nations* (Report by the President to the Congress for the Year 1948). The President was empowered by the 1945 Act to appoint such other officers of the United States to serve at the United Nations without the advice and consent of the Senate.

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501.BB Interim/1-348: Telegram

*The Acting Secretary of State to the United States Representative at the United Nations (Austin)*

WASHINGTON, January 3, 1948.

3. Please inform Secretary General of the UN of appointment by the President of the Honorable Warren R. Austin as United States Representative and the Honorable Philip C. Jessup as Deputy United States Representative in the Interim Committee of the General Assembly of the United Nations.<sup>1</sup> Letters of credentials follow.

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<sup>1</sup>The Interim Committee was established in accordance with a resolution adopted by the General Assembly on November 13, 1947 (for documentation on this, see *Foreign Relations*, 1947, volume I), and was scheduled to convene for its first meeting on January 5, 1948. The Interim Committee was established as a subsidiary organ of the General Assembly which would function between

The United States Representative and Deputy United States Representative will be assisted by Advisers from the Department of State, David W. Wainhouse and David H. Popper, and others from the staff of the United States Mission to the United Nations as directed by the United States Representative.

LOVETT

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the regular sessions of the General Assembly. It held a broad commission to make studies on how the general principles of international cooperation in the political field and in the maintenance of international peace and security were to be implemented; and, within the scope of its jurisdiction, to conduct investigations and to appoint commissions of inquiry. More precisely, the Interim Committee was to assist the General Assembly in matters specifically referred to it by the General Assembly, and at the beginning of 1948 it had a specific instruction from the Assembly to undertake a study of the voting procedure of the Security Council.

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*The Secretary of State to the Speaker of the House of Representatives*  
(Martin)<sup>1</sup>

WASHINGTON, March 17, 1948.

DEAR MR. SPEAKER: I am transmitting herewith a draft of a proposed bill<sup>2</sup> "To amend the United Nations Participation Act of 1945" which the Department recommends be enacted into law.

The primary purpose of the proposed amendments to the United Nations Participation Act of 1945 is to provide greater flexibility in the United States representation in the Security Council and to provide assistance to our principal Representative to the United Nations. The nature and increased volume of work of the United States Mission to the United Nations and the consequent demands upon the time and energy of the United States Representative make necessary the provisions of the proposed amendments as outlined in the enclosed memorandum.

A similar communication is being sent to the President pro tempore, United States Senate.

The Department has been informed by the Bureau of the Budget that there is no objection to the submission of this proposal to the Congress.

Faithfully yours,

G. C. MARSHALL

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<sup>1</sup> Text from *Structure of the United Nations and the Relations of the United States to the United Nations, Hearings*, House of Representatives, Committee on Foreign Affairs, 80th Congress, 2d sess., p. 512.

<sup>2</sup> For text, see *ibid.*, pp. 512-515.



## [Enclosure]

*Memorandum Prepared in the Department of State*<sup>3</sup>

## PROPOSED AMENDMENTS TO THE UNITED NATIONS PARTICIPATION ACT

The nature and volume of work of the United States Mission to the United Nations make it necessary to secure amendments to sections 2 and 7 of the United Nations Participation Act. The primary purpose of amendments proposed at this time is to provide greater flexibility in our representation in the Security Council and to provide assistance to our principal Representative to the United Nations.

The principal proposed amendments provide—

1. For the creation of a new position, namely, that of Deputy United States Representative to the United Nations and that the Representative and Deputy Representative to the United Nations shall be our number one and two Representatives in the Security Council, and provide further that these two representatives may serve *ex officio* as United States Representative on any organ, commission, or other body of the United Nations.

2. That the salary of the Representative and Deputy Representative to the United Nations shall correspond to the rates paid to the chiefs of missions, class I and II, respectively, as provided in the Foreign Service Act.

3. For the appointment by the President, by and with the advice and consent of the Senate, of an additional Deputy Representative in the Security Council, and authorize the President to designate any departmental officer of the Department of State, whose appointment is subject to confirmation by the Senate, to serve for temporary periods in the Security Council in the absence or disability of the Representative and Deputy Representatives, or in lieu of such Representatives in connection with a specified subject matter.

4. For removal from the act of the requirement for confirmation by the Senate of Presidential appointments to the many commissions of the United Nations, except the Atomic Energy Commission.

5. The addition of a new section to enable the mission to acquire by purchase, rent, or gift, a residence for the United States Representative.

6. Amendments to section 7 to clarify the existing language and to bring it into accord with related legislation governing the use of the appropriations.

The detailed analysis of the specific amendments follows.

*Section 2 (a)*

The amendments provide for the establishment of a new position, namely, that of Deputy Representative of the United States to the United Nations, to be appointed by the President, by and with the

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<sup>3</sup>Text from *Structure of the United Nations and the Relations of the United States to the United Nations, Hearings*, House of Representatives, Committee on Foreign Affairs, 80th Congress, 2d sess., pp. 515-517.

advice and consent of the Senate. It is also provided that the Representative and Deputy Representative of the United States to the United Nations shall have the rank and status of ambassador extraordinary and plenipotentiary and shall receive compensation at the same rates as are paid to chiefs of missions, class I and class II, respectively, under the Foreign Service Act. The Representative and Deputy Representative are designated as the principal representatives in the Security Council of the United Nations and are authorized to serve ex officio as United States representative on any organ, commission, or body of the United Nations. This section changes the title of the United States Representative at the seat of the United Nations to Representative of the United States to the United Nations. This minor change in title brings the title into accord with the title used on the appointment and confirmation of Ambassador Austin to his present position.

*Section 2 (b)*

The section is amended to authorize the appointment of an additional Deputy Representative of the United States in the Security Council and to provide that he shall serve in the Security Council in the event of the absence or disability of the Representative and Deputy Representative of the United States to the United Nations. The amendment eliminates the provision for rank of envoy extraordinary and minister plenipotentiary for this position. The effect of this amendment is to provide a third member of the United States Mission authorized to serve on the Security Council. This Deputy Representative, however, would not be authorized to serve on any other organ of the United Nations.

*Section 2 (d)*

The amendments to this section change the authorization of the President to designate an officer of the United States to serve, without the advice and consent of the Senate, in the Economic and Social Council and the Trusteeship Council to cover any specified session of either Council rather than any specified meeting as currently provided in the act. The amendments also permit the designation by the President, without the advice and consent of the Senate, of any officer of the United States to act in either of these Councils for a specified session thereof in the event that the position is vacant as well as in the absence or disability of the regular representative.

An additional amendment to this section would authorize the President to designate any departmental officer of the Department of State, whose appointment is subject to confirmation by the Senate, to serve for temporary periods as the Representative of the United States in the Security Council of the United Nations in the absence or disability

of the Representative and Deputy Representative or in lieu of such Representatives in connection with a specified subject matter.

It is proposed to amend the section also to make it unnecessary to secure Senate confirmation of Presidential appointments to the Commissions of the United Nations to which the United States is entitled to appoint a representative, except for such commissions as may be formed by the United Nations with respect to atomic energy. This amendment would make it unnecessary to secure Senate confirmation of Presidential appointments to the many commissions of the Economic and Social Council or to subcommissions of any other organ of the United Nations.

*Section 7 (a new section replacing former sec. 7)*

Section 7 authorizes the Secretary of State to acquire by purchase, gift, devise, construction, exchange, lease or rental, an official residence for the use of the Representative of the United States to the United Nations and the use of the appropriation for participation in the United Nations for payment of maintenance and operating costs of the residence. This amendment is drafted to make provisions for a residence for the Representative, similar to provisions of this nature in the Foreign Service Act of 1946.

*Section 8 (replaces and amends former section 7)*

Most of the amendments of this section are designed to clarify provisions of the existing law and to bring it more nearly into accord with related legislation. The amendments to this section specifically exempt the United States Mission from the provisions of the civil-service laws and the Classification Act of 1923, as amended. The amendments also exempt the mission from the provisions of the Subsistence Expense Act of 1926 with regard to the rates of per diem allowances in lieu of subsistence expenses. It is proposed to amend the provision regarding payment of cost of living allowances to limit such payment to personnel stationed abroad but to broaden the allowances for official entertainment to include representation also. This provision will permit payment of allowances for living quarters and cost of living allowances to any representatives who may be appointed to regional commissions of the United Nations where the headquarters are located outside of the United States, such as the Economic Commission for Europe. It also brings the provision for payment of entertainment and representation allowances in line with provisions of the Foreign Service Act. It is proposed also to amend this section to exempt the use of the appropriation for printing and binding from provisions of section 11 of the act of March 1, 1919 (44 U.S.C. 111) (note statute requiring printing by the Government Printing Office) and to exempt the use of the appropriation for expenses as authorized in section 7 and other expenses authorized by the Secretary of State from this



appropriation from provisions of section 3709 of the Revised Statutes, as amended (41 U.S.C. 5) (note statute requiring advertising for bids).

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501.BB/4-1348

*Document Prepared in the Office of United Nations Affairs*

[WASHINGTON,] April 13, 1948.

ORGANIZATION OF THE UNITED STATES DELEGATION TO THE SECOND  
SPECIAL SESSION OF THE GENERAL ASSEMBLY <sup>1</sup>

*Representatives*

Warren R. Austin  
Francis B. Sayre  
Philip C. Jessup

*Alternate Representatives*

John C. Ross <sup>2</sup>  
Dean Rusk <sup>3</sup>

*Advisers* <sup>4</sup>

\*Frank P. Corrigan  
Donald C. Blaisdell  
William I. Cargo  
Benjamin Gerig  
Raymond A. Hare  
John E. Horner  
\*Gordon Knox  
Samuel K. C. Kopper  
Thomas J. Maleady  
Robert M. McClintock  
Paul W. Meyer  
\*Charles P. Noyes  
G. Hayden Raynor  
Fraser Wilkins

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<sup>1</sup> The Second Special Session of the General Assembly, meeting at New York, April 16–May 14, 1948, was convened to consider the Palestine problem. Also, it was at this time (April 19) that the Union of Burma was admitted to membership in the United Nations Organization.

<sup>2</sup> John C. Ross was Deputy to the United States Representative at the United Nations. This position is not to be confused with that of Deputy United States Representative at the United Nations, which at this time had not yet been established.

<sup>3</sup> Dean Rusk was Director of the Office of United Nations Affairs, Department of State.

<sup>4</sup> The Advisory Staff were officers of the Department of State unless otherwise designated.

\*Staff of United States Mission to the United Nations. [Footnote in the source text.]

*Executive Officer*

Donald C. Blaisdell

*Assistant*

Betty Gough

*Secretary-General*

†Richard S. Winslow

*Deputy Secretary-General*

†Thomas F. Power, Jr.

*Press Officer*

†Porter McKeever

*Assistant Press Officers*

†Gilbert Stewart

†David Wilson

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†Staff of United States Mission to the United Nations. [Footnote in the source text.]

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501.BC/5-1848: Telegram

*The Secretary of State to the United States Representative at the United Nations (Austin)*

SECRET

WASHINGTON, May 18, 1948—2 p. m.

313. Eyes alone for Ambassador Austin from Rusk. Dept. is very much concerned about possibilities of further delay in Participation Act amendment because of House Foreign Affairs Committee desire to lump together several bills in omnibus legislation.<sup>1</sup> In an effort to find you immediate assistance in SC, we suggest that Philip Jessup be named as Herschel Johnson's successor.<sup>2</sup> Jessup would not be available beyond Feb. of next year. Hence this appointment could only be temporary. Appointment would also be without prejudice to permanent appointments to be made under amended Participation Act. Dept. continues to approve your suggestion of Ross as the "additional deputy" provided in that Act. I believe you will agree that Jessup has done a first class job in the IC and in the Special Session, sometimes under most difficult circumstances. Nevertheless, Dept. does not wish to send his name forward without your consideration and any

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<sup>1</sup> The Senate had passed a bill amending the United Nations Participation Act on April 26 (S. 2518). For additional information relevant to the legislative history of the Participation Act as part of the "omnibus legislation" referred to herein, see footnotes 2, 3, and 4, pp. 21-22, and editorial note, p. 28. The Department's proposal for changes in the United States representation at the United Nations had not been acted upon by the House of Representatives when the 80th Congress adjourned in August.

<sup>2</sup> Ambassador Johnson had been nominated by the President to be United States Ambassador to Brazil and his nomination had been confirmed by the Senate on April 14.

comments which you might wish to make on the suggestion. If you agree, Jessup's name can go forward within the next few hours.<sup>3</sup> [Rusk.]

MARSHALL

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<sup>3</sup> With Ambassador Austin's approval of the naming of Philip C. Jessup, the latter's nomination was sent to the Senate by the President on May 27 and on June 1 the Senate confirmed his nomination as Deputy United States Representative on the Security Council of the United Nations.

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501.BB Interim/5-2848 : Telegram

*The Acting Secretary of State to the United States Representative at the United Nations (Austin)*

WASHINGTON, May 28, 1948.

338. President today appointed Joseph E. Johnson as an additional Deputy US Rep in GA Interim Committee.<sup>1</sup> Credentials follow.

LOVETT

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<sup>1</sup> In a memorandum to President Truman dated May 27, the Acting Secretary of State had recommended "that an additional Deputy Representative be appointed to assist Messrs. Austin and Jessup, Representative and Deputy Representative [on the Interim Committee] respectively" "in view of the heavy schedule contemplated during the summer months and in order that the United States may adequately carry out its responsibilities as a Member of the Interim Committee of the General Assembly of the United Nations." (501.BB/5-2748) Dr. Johnson was at this time professor of history at Williams College but had been associated with the Department of State from 1942 to 1947, participating in work related to the establishment and launching of the United Nations.

For documentation relating to the work of the Interim Committee at this time, with particular reference to the questions of the voting procedures of the Security Council, see pp. 205 ff.

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501.BB/8-348

*Memorandum by the Secretary of State to the President*

WASHINGTON, August 3, 1948.

The Third Session of the General Assembly of the United Nations is scheduled to be held in Paris, France, beginning September 21, 1948.

In accordance with the provisions of Section 2(c) of Public Law 264, 79th Congress, and Articles 9 and 20 of the United Nations Charter, I recommend, for your approval, that the following-named persons be appointed to represent the United States at the forthcoming session:

*Representatives:*

George C. Marshall  
Warren R. Austin  
John Foster Dulles  
Anna Eleanor Roosevelt  
Philip C. Jessup

*Alternate Representatives:*

Benjamin V. Cohen  
Willard L. Thorp  
Ernest A. Gross  
Francis B. Sayre  
Ray Atherton

Compensation at the rate of \$12,000 per annum will be paid to those persons who are not at this time employed by the United States Government.

If these designations meet with your approval, nominations will be prepared and transmitted to you for your signature.

G. C. MARSHALL

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*Press Release 513 Issued by the United States Mission to the United Nations, September 7, 1948*

UNITED STATES DELEGATION TO THE THIRD SESSION OF THE GENERAL  
ASSEMBLY OF THE UNITED NATIONS

*Representatives*

The Honorable George C. Marshall, Secretary of State\*  
The Honorable Warren R. Austin, United States Representative  
to the United Nations and Representative in the Security Council,  
Ambassador  
The Honorable John Foster Dulles  
The Honorable Mrs. Franklin D. Roosevelt  
The Honorable Philip C. Jessup, Deputy United States Representative  
in the Security Council

*Alternate Representatives*

The Honorable Benjamin V. Cohen  
The Honorable Ray Atherton  
The Honorable Willard L. Thorp, United States Representative in  
the Economic and Social Council, Assistant Secretary of State  
for Economic Affairs  
The Honorable Ernest A. Gross, The Legal Adviser, Department of  
State  
The Honorable Francis B. Sayre, United States Representative in  
the Trusteeship Council, Ambassador

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\*When it is possible for him to attend, will serve as Senior United States Representative on the Delegation. In his absence, Ambassador Austin will serve as Senior United States Representative. [Footnote in the source text.]



*Advisers*

- Harding F. Bancroft, Chief, Division of United Nations Political Affairs, Department of State
- Donald C. Blaisdell, Special Assistant to the Director, Office of United Nations Affairs, Department of State
- Charles E. Bohlen, Counselor, Department of State
- William I. Cargo, Acting Assistant Chief, Division of Dependent Area Affairs, Department of State
- Frank P. Corrigan, Adviser, United States Mission to the United Nations
- Lieutenant General W. D. Crittenberger, United States Army, United States Representative on the Military Staff Committee, United States Mission to the United Nations
- John K. Emmerson, Foreign Service Officer, Department of State
- Dorothy Fosdick, Assistant to the Director, Office of European Affairs, Department of State
- William A. Fowler, Foreign Service Officer, United States Mission to the United Nations
- Lieutenant Colonel Harrison Gerhardt, United States Army
- Benjamin Gerig, Deputy United States Representative in the Trusteeship Council, Chief, Division of Dependent Area Affairs, Department of State
- Colonel Philip H. Greasley, United States Air Force
- William O. Hall, Director, Office of Budget and Planning, Department of State
- Lieutenant General H. R. Harmon, United States Air Force, United States Representative on Military Staff Committee, United States Mission to the United Nations
- Admiral H. K. Hewitt, United States Navy, United States Representative on Military Staff Committee, United States Mission to the United Nations
- Harry N. Howard, Division of Greek, Turkish and Iranian Affairs, Department of State
- James N. Hyde, United States Mission to the United Nations
- Louis K. Hyde, Jr., United States Mission to the United Nations
- The Honorable Joseph E. Jacobs, Foreign Service Officer, Department of State
- Howard C. Johnson, Chief, Division of International Security Affairs, Department of State
- Ridgway B. Knight, Foreign Service Officer, Department of State
- Samuel K. C. Kopper, Special Assistant to the Director, Office of Near Eastern and African Affairs, Department of State
- Robert I. Kull, International Administration Staff, Office of United Nations Affairs, Department of State

Cecil B. Lyon, Foreign Service Officer, Department of State  
Edward P. Maffitt, Foreign Service Officer, United States Mission  
to the United Nations

John Maktos, Assistant Legal Adviser, Department of State  
Colonel Pierre Mallett, United States Army, United States Mission  
to the United Nations

Marcia Maylott, Office of the Legal Adviser, Department of State  
Leonard C. Meeker, Office of the Legal Adviser, Department of  
State

Commander G. A. O'Connell, Jr., United States Navy, United  
States Mission to the United Nations

Frederick H. Osborn, Deputy United States Representative on the  
Atomic Energy Commission and Commission for Conventional  
Armaments, United States Mission to the United Nations

David H. Popper, Assistant Chief, Division of United Nations  
Political Affairs, Department of State

G. Hayden Raynor, Special Assistant to the Director, Office of  
European Affairs, Department of State

Harry Clinton Reed, Foreign Service Officer, Department of State  
Colonel H. E. Rogner, United States Air Force, United States Mis-  
sion to the United Nations

John C. Ross, Deputy to the United States Representative to the  
United Nations, United States Mission to the United Nations

Dean Rusk, Director, Office of United Nations Affairs, Department  
of State

Durward V. Sandifer, Deputy Director, Office of United Nations  
Affairs, Department of State

Captain Harold P. Smith, United States Navy

Eric Stein, Division of United Nations Political Affairs, Depart-  
ment of State

Leroy D. Stinebower, Deputy United States Representative in the  
Economic and Social Council, Special Assistant to the Assistant  
Secretary of State for Economic Affairs, Department of State

Henry S. Villard, Foreign Service Officer, Department of State

S. Walter Washington, Foreign Service Officer, Department of  
State

Francis O. Wilcox, Chief of Staff, Committee on Foreign Relations,  
United States Senate

*Principal Executive Officer*

Donald C. Blaisdell, Special Assistant to the Director, Office of  
United Nations Affairs, Department of State

*Deputy Principal Executive Officer*

David H. Popper, Assistant Chief, Division of United Nations  
Political Affairs, Department of State

*Assistants to the Delegates*

Brigadier General Marshall S. Carter, Assistant to the Secretary,  
Department of State

William H. A. Mills, Special Assistant to the United States Repre-  
sentative to the United Nations, United States Mission to the  
United Nations

Malvina Thompson, Assistant to Mrs. Roosevelt

David M. Wainhouse, Associate Chief, Division of United Nations  
Political Affairs, Department of State, Assistant to Mr. Dulles

*Assistants*

Elizabeth Ann Brown, International Administration Staff, Office  
of United Nations Affairs, Department of State

Betty C. Gough, International Administration Staff, Office of  
United Nations Affairs, Department of State

Colonel A. H. Luehman, United States Army, United States Mis-  
sion to the United Nations

*Secretary-General*

Richard S. Winslow, Secretary-General, United States Mission to  
the United Nations

*Deputy Secretary-General*

Thomas F. Power, Jr., Deputy Secretary-General, United States  
Mission to the United Nations

*Special Assistant*

Lee B. Blanchard, Special Assistant to the Secretary-General,  
United States Mission to the United Nations

*Information Officer*

Porter McKeever, Public Information Adviser, United States Mis-  
sion to the United Nations

*Assistants*

Mallory Browne, Public Affairs Officer, United States Information  
Service

Robert T. Pell, Public Affairs Officer, United States Information  
Service

Gilbert Stewart, United States Mission to the United Nations



*Public Liaison Officer*

Chester S. Williams, Public Liaison Officer, United States Mission to the United Nations

*Communications Officer*

Woodford B. McCool, United States Mission to the United Nations

*Administrative Officer*

Louis F. Bohmrich, United States Mission to the United Nations

501.BB/9-348

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*Document Prepared in the Department of State*<sup>1</sup>

[WASHINGTON, September 3, 1948.]

RECOMMENDED ASSIGNMENTS FOR THE DELEGATION, THIRD SESSION,  
UNITED NATIONS GENERAL ASSEMBLY

<i>The Secretary of State</i>	Chairman of the Delegation Opening Policy Statement in Plenary Session Direct Negotiations with Heads of Other Delegations Committee I (Political and Security): Berlin (if raised)
<i>Ambassador Austin</i>	Deputy Chairman of the Delegation Security Council (President during October) General Committee (General Assembly Agenda and Procedure) Committee I (Political and Security): Report of the Security Council Atomic Energy Regulation of Conventional Armaments (if raised) Article 43 Forces (if raised)
<i>Mr. Dulles</i>	Committee I (Political and Security): Greece Korea Continuation of Interim Committee Veto Article 51 Agreements (if raised)

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<sup>1</sup> Forwarded by the Director of the Office of United Nations Affairs (Rusk) to the Secretary of State on September 3, and approved by the Secretary.

<i>Mr. Dulles</i>	Committee IV (Trusteeship) : All subjects, assisted by Mr. Sayre
<i>Mrs. Roosevelt</i>	Committee III (Social, Humanitarian and Cultural) : All subjects, assisted by Mr. Cohen on Freedom of Information
<i>Mr. Jessup</i>	Security Council Committee I (Political and Security) : Italian Colonies Promotion of International Cooperation (Interim Committee Report) Palestine (if raised) United Nations Guard (if raised)
<i>Mr. Cohen</i>	Committee I (Political and Security) : Admission of New Members Treatment of Indians in South Africa Geographical Distribution of Security Council Seats Revision of Italian Peace Treaty (if raised) Committee III (Social, Humanitarian and Cultural) : Assistance to Mrs. Roosevelt on Freedom of Information
<i>Ambassador Atherton</i>	Principal Political Officer Elections Committee I (Political and Security) : Relations of Members with Spain
<i>Mr. Thorp</i>	Committee II (Economic and Financial) : All subjects Joint Committee II and III (Economic and Financial; Social, Humanitarian and Cultural) : All subjects
<i>Mr. Gross</i>	Committee V (Administrative and Budget- ary) : All subjects, assisted by Mr. Rusk and Mr. Hall Committee VI (Legal) : All subjects Legal Adviser to the Delegation
<i>Mr. Sayre</i>	Committee IV (Trusteeship) : All subjects, assistance to Mr. Dulles

501.BB/9-1148

*The Secretary of State to the United States Representative at the  
United Nations (Austin)*

WASHINGTON, September 11, 1948.

DEAR AUSTIN: I have been giving considerable thought to the specific tasks which each member of our General Assembly Delegation should undertake in order to produce the most effective over-all result. The development of the general international situation will determine how long I shall be able to remain with the Delegation. I am particularly anxious not to leave the impression at the beginning of the Assembly that I shall remain for only a short time. Nevertheless, our planning must be on the basis that I might have to leave the Delegation. With that in mind, I am asking you to serve as Deputy Chairman of the Delegation and assume the Chairmanship if it becomes necessary for me to leave.<sup>1</sup>

As for other tasks during the Assembly, the present state of the Indonesian, Palestine, Kashmir and other questions suggests that the Security Council will play a more active role than during last year's Assembly. That factor necessarily influences your availability for detailed work in the Assembly. However, you are assigned responsibility for the General Committee, for the Report of the Security Council, and for atomic energy, regulation of armaments and Article 43 forces. In connection with the last three items, our intelligence estimates lead us to believe that the Soviet Delegation will stage a major propaganda offensive in this field. The demand on you will be a very heavy one, but your previous experience and personal interest in these subjects are such that I believe you should carry this important part of our debate.

If a serious move develops in the General Assembly to move the headquarters of the United Nations away from New York, it may be necessary for you to intervene on that subject in Committee 5. We hope that this will not become necessary.

Our experience in the General Assembly last year convinces me that the Delegates and Alternate Delegates themselves should accept even more responsibility for establishing direct contacts with the senior representatives in other delegations. There will be political liaison

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<sup>1</sup> The Secretary of State was with the U.S. Delegation to the General Assembly at Paris from the opening of the session on September 21 until November 21 when he returned to Washington at the request of President Truman, except for short absences on two successive week-ends in October on the occasion of a consultation with the President in Washington (October 9-11; see Department of State *Bulletin*, October 17, 1948, p. 483) and a visit to Athens (October 16-18; see *ibid.*, October 31, 1948, p. 561). Special serial designations were established for handling cable traffic pertaining to Secretary Marshall personally while he was at Paris: "Telmar" for Washington cables and "Martel" for cables from Paris. Occasionally matters pertaining to the U.S. Delegation spilled over into this series.



officers included in the staff of the Delegation but these officers can only supplement and not substitute for the direct relationships established by our Delegates. Ambassador Ray Atherton is being asked to pay particular attention to this aspect of our work and will be available to assist you in any way you desire.

I shall wish to discuss with you my opening statement to the General Assembly immediately upon our arrival in Paris. Its general tone will be affected considerably by the course of the discussions on Berlin and will therefore have to be reviewed very carefully immediately prior to delivery.<sup>2</sup>

Faithfully yours,

[G. C. MARSHALL]

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<sup>2</sup> For Secretary Marshall's "general debate" address to the General Assembly on September 23, 1948, see United Nations, *Official Records of the General Assembly, Third Session, Part I, Plenary Meetings*, pp. 36 ff. (hereafter cited as GA (III/1), *Plenary*) ; or Department of State *Bulletin*, October 3, 1948, pp. 432 ff.

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### *Editorial Note*

A complete record of the minutes of United States Delegation meetings at the Paris session of the General Assembly is contained in the files of the Reference and Documents Section of the Bureau of International Organization Affairs, Department of State (hereafter cited as "IO Files") in a series designated by the symbol US(P)/A/M/(Chr)/[number]. (Here "Delegation" is used to include the Representatives, Alternate Representatives, and the Advisory Staff of specialists.) There were thirty-four such meetings of the United States Delegation, between September 22 and December 6. In this volume these minutes are printed from time to time either in whole or in part, as may be appropriate. Also found in the IO Files is a series carrying the symbol US(P)/A/M/[number], which contains a very much abbreviated record of such Delegation meetings under the title "Delegation Decisions"; generally these are not printed.

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501.BB/11-2048

*The Secretary of State to the Secretary-General of the  
United Nations (Lie)*

Copy

PARIS, November 19, 1948.

The Senior United States Representative to the General Assembly of the United Nations presents his compliments to the Secretary-General of the United Nations and has the honor to transmit herewith an amended list <sup>1</sup> of the United States Delegation to the Third Session

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<sup>1</sup> Not printed.



of the General Assembly of the United Nations as of November 19, 1948.

It may be noted that, in the absence of the Secretary of State,<sup>2</sup> the Honorable John Foster Dulles will act as Chairman of the Delegation; the Honorable Benjamin Cohen is named as a Representative, having previously been designated as an Alternate Representative; Mr. Dean Rusk is named as an Alternate Representative, having previously been designated as an Adviser of the Delegation.

The Honorable Warren R. Austin has left the Delegation because of illness.<sup>3</sup>

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<sup>2</sup> Although the attached "amended" list was headed by the name of Secretary Marshall, actually he flew back to Washington on November 21; see footnote 1, p. 14.

<sup>3</sup> An anomalous situation arose after November 21, in the absence of both the Secretary of State and the accredited U.S. Representative at the United Nations (Austin), and because of the curious loop-hole in the 1945 law which made no provision for a Deputy U.S. Representative at the United Nations (see again the letter from the Secretary of State to the Speaker of the House of Representatives, March 17, 1948, which asked for amending legislation to correct this defect, p. 3). Arrangements that were effected subsequently were on a strictly *ad hoc* basis and though they had Presidential authorization were hurriedly improvised in at least one instance.

There is ambiguity as to the chief U.S. official at Paris after November 21. Though Mr. John Foster Dulles was designated Acting Chairman of the U.S. Delegation to the General Assembly, he was not named acting U.S. representative in respect of the Security Council nor acting chief of the U.S. Mission at the United Nations; normally in the absence of the Secretary of State all three positions were held by the same man, the U.S. Representative at the United Nations. In this case Professor Jessup was appointed in an acting capacity for both the Security Council and the Mission, and he was in effect Acting U.S. Representative at the United Nations. Professor Jessup was appointed to the personal rank of ambassador by President Truman on December 2. See also footnote 1, p. 20.

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501.BB/12-848 : Telegram

*The Acting Chairman of the United States Delegation to the  
General Assembly (Dulles) to the Secretary of State*

CONFIDENTIAL

US URGENT

PARIS, December 8, 1948—10 p. m.  
[Received December 8—8:09 p. m.]

Delga 1119. Niact eyes alone for Lovett from Rusk—No Distribution. Jessup has just entered hospital with bronchitis and some temperature. While his condition is not serious at this stage, he is generally exhausted and we must therefore prepare for the contingency that he may be away for some time.

Most immediate problem is handling of Palestine case in plenary GA on Friday.<sup>1</sup> Although I handled it in Committee One, I believe

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<sup>1</sup> Documentation on the Palestine question is scheduled for publication in volume v.

senior member of delegation should handle in plenary if possible. Of Dulles, Cohen and Roosevelt, Dulles is the only chief delegate we should consider. I believe he would do it if I urged him to, but he needs some assurance that his doing so is agreeable to White House.

It would be unfortunate if any partisan element entered Palestine question at this stage since resolution before plenary raises no such issues. If White House or Department believes matter should be handled by permanent officer, I would do so. Canada, Australia, New Zealand and China will jointly sponsor certain minor amendments discussed in separate telegram on basis of which it now appears Arabs will abstain and Arab friends will support resolution, thereby removing much of present uncertainty re fate of Palestine resolution. Question is therefore not one of difficulty in handling but whether you agree with me that most senior available delegate should represent US on this sensitive subject. Please comment.

Second problem is possibility that Jessup may not be available for SC meeting which is now scheduled for Friday morning to consider Israel membership. Since Palestine resolution is not expected to come up in plenary before Friday and since we do not wish SC to consider membership before completion GA action, we shall endeavor to postpone this meeting. However, another SC meeting is tentatively scheduled for next Wednesday on Hyderabad. You should therefore give immediate attention to problem raised by absence legally qualified US Representative on SC under Participation Act. There seems little doubt to me but that President has constitutional powers fully adequate to make an emergency appointment to ensure that US is represented on SC in situation where normally qualified representatives are physically unable to attend. Suggest quick legal check by State and Department Justice on this point. Problem is internal to us since UN would accept credentials from Secretary of State regardless of domestic American law. One possibility would be for President to call upon one of State Department officers in Paris already confirmed by Senate for present post (Thorp, Gross, Bohlen). This would conform to provisions of amended Participation Act as passed by Senate though not yet passed by House, and should be easily cleared with Connally and Vandenberg as best way meeting emergency this nature.

Suggest no formal action be taken to provide credentials for another US Representative on SC until you hear from us that SC has definitely been scheduled and such credentials are essential.

I shall discuss implications for Berlin case with Bohlen and send separate telegram.

Please make all replies eyes alone to me. [Rusk.]

DULLES

501.BB/12-848: Telegram

*The Acting Secretary of State to Mr. Dean Rusk of the United States  
Delegation to the General Assembly, at Paris*

SECRET US URGENT

WASHINGTON, December 9, 1948—6 p.m.

Gadel 720. Niact no distribution. Eyes only for Rusk from Lovett. Re emergency representation in SC (Delga 1119, Dec. 8) Legal Adviser's Office has furnished following opinion:

"As to SC Dept agrees President has constitutional power to make appointment to ensure US representation in situation where normally qualified representatives physically unable to attend. This true had no Participation Act been passed.

Apart from President's power to make appointment under constitutional power over foreign relations, Participation Act 1945, Section 2(d) when read literally clearly authorizes President to make such emergency appointment. Section 2(d) reads 'The President may also appoint from time to time such other persons as he may deem necessary to represent the United States in the organs and agencies of the United Nations.' Dept. of Justice approves this interpretation. Limitations '(A)' and '(B)' contained subsequently in Section 2(d) relate to 'either such Council', referring to the Trusteeship Council and ECOSOC."

In light of foregoing I have discussed possible temporary replacement for Jessup with President who states he will appoint Dulles if necessary. Re telephone call Rusk-McClintock this afternoon will send credentials for Dulles tomorrow evening to be availed of when and if necessary. Please tell Jessup we do not wish him to jeopardize his health and trust he will have speedy recovery.<sup>1</sup>

LOVETT

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<sup>1</sup>In Department's cable Gadel 710, December 8, 10 p. m., the Acting Secretary of State (Lovett) conveyed to Mr. Dulles the President's authorization for Mr. Dulles to undertake U.S. representation before the General Assembly in the Palestine debate "tomorrow" (501.BB/12-848); actually the Palestine discussion was not resumed until December 11 and no one spoke for the United States at that time. In the meantime on December 10 President Truman had appointed Mr. Dulles to serve as Acting Deputy United States Representative on the Security Council, in the temporary absence of Ambassador Jessup (Instruction 22, December 10, 501.BB/12-1048); the letter of appointment arrived in Paris however only hours before Mr. Dulles was leaving for the United States and "could not be delivered" (Despatch P-1355, December 14, 501.BC/12-1448). Despite an optimistic cable from Ambassador Jessup about mid-day December 14 to the effect that he felt he could attend the next sitting of the Security Council on December 15 (Paris cable Delga 1185, 2 p. m., December 14, received in Washington at 11:09 a. m. the same day, 501.BC/12-1448), the Department nevertheless took steps to convey Presidential authorization to the U.S. Ambassador to France, Jefferson Caffery, if necessary, to serve as Acting Deputy United States Representative on the Security Council (Department's cable Gadel 744, December 14, 4 p. m., 501.BC/12-1448). Ambassador Jessup did in fact attend the meeting of the Security Council on December 15.



## GENERAL UNITED STATES POLICY TOWARD THE UNITED NATIONS

### I. THE UNITED STATES AND THE UNITED NATIONS: THE UNITED STATES VIEW OF THE ROLE OF THE UNITED NATIONS IN THE INTERNATIONAL SITUATION PREVAILING IN 1948

*Statement by George C. Marshall, Secretary of State*<sup>1</sup>

MR. CHAIRMAN, GENTLEMEN: I will outline for the Committee<sup>2</sup> the views of the State Department with respect to the structure of the United Nations and the relationship of this Government to the United Nations. I will try to place in perspective the steps which this Govern-

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<sup>1</sup> Made before the House Foreign Affairs Committee on May 5, 1948, and released to the press on the same date; reprinted from the Department of State *Bulletin*, May 16, 1948, pp. 623-625.

<sup>2</sup> The occasion for the Secretary's appearance was the initiation of hearings on May 4 by the Foreign Affairs Committee of the House of Representatives on H.R. 6802, a "one-package" House bill which brought together four separate legislative proposals that had been placed before the Committee, all sharing the common objective of strengthening the United Nations. This bill included a reaffirmation of the principles of the Charter of the United Nations as the basis for United States foreign policy; acceptance of the General Convention on Privileges and Immunities of the United Nations; approval of a loan agreement between the United States and the United Nations providing for a loan by the United States to the United Nations for the financing of the construction of the headquarters of the United Nations on the site at New York City; and a revision of the United Nations Participation Act of December 20, 1945, the statute governing the representation of the United States at the United Nations (59 Stat. 619), so as to strengthen and make more effective this representation. H.R. 6802 also included a section authorizing the lending by this Government of U.S. personnel to international organizations in which the United States participated, and also the performing of services for such international organizations by agencies of the U.S. Government.

Relevant legislative documentation concerning H.R. 6802 includes *Hearings before the Committee on Foreign Affairs House of Representatives May 4, 5, 6, 7, 11, 12, 13, 14, 1948 (Structure of the United Nations and the Relations of the United States to the United Nations)*, 80th Congress, 2d sess. (hereafter cited as *Hearings*, May 4-14); and House Report No. 2291, *Report of the Committee on Foreign Affairs on H.R. 6802, June 9, 1948*, 80th Cong., 2d sess.

For Department of State commentary relating in part to H.R. 6802 and generally to the overall legislative program concerning the United Nations sponsored by the Department in 1947 and 1948, see *80th Congress and the United Nations*, Department of State Publication 3302 (reprinted from articles by Sheldon Z. Kaplan, Assistant to the Legal Adviser of the Department, from the Department of State *Bulletin* of October 26 and November 2, 1947, and September 12 and September 19, 1948).



ment has taken, and the proposals now before the Committee, on this subject.<sup>3</sup>

The interest shown by the great majority of Americans in the United Nations and in increasing its effectiveness is an impressive fact. A vast amount of thought is being devoted throughout our country to means of furthering the objectives of the Charter in the prevailing world circumstances. The attitude of the United States towards the problems of the United Nations will have a profound effect on the future of the organization.<sup>4</sup>

A clear understanding of the international situation is essential to decisions on the course we should pursue. Neither the United Nations nor any other form of world organization can exist as an abstraction without relation to the realities of a given world situation.

The United Nations was conceived on the assumption that certain conditions would develop following the war. These were: (1) that the major powers charged with responsibility for working out peace settlements would complete their task promptly and effectively; (2) that the critical postwar conditions in the economic and political fields would be brought to an end as speedily as possible; and (3) that the cooperation among the great powers pledged during the war and reflected in the Charter would be continuing.

The United Nations was specifically designed to preserve the peace and not to make the peace. The task of making the peace settlements was specifically recognized by article 107 of the Charter as one for the responsible victor powers. The United Nations can assist in this task, but the improvement of the United Nations machinery would not in itself solve the problem. Since the most important of the peace settlements have not been agreed upon, the United Nations has been compelled to carry on its activities under world conditions far different from those contemplated by the Charter.

It was obvious to the framers of the Charter of the United Nations that an effective organization to preserve the peace must include every

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<sup>3</sup> The House Foreign Affairs Committee had before it an array—some 20 to 30—of House concurrent resolutions proposing drastic revision of the United Nations Charter, some with detailed schemes of amendment; the calling of a General Conference under Article 109 of the Charter to consider Charter amendment; creation of arrangements consistent with the Charter for collective security of states within the European Recovery Program; expression of U.S. willingness to waive the veto privilege in the Security Council; and the possible formation of a new international organization “under certain circumstances” (i.e., without the Soviet Union and its satellites). For text of the Charter of the United Nations, signed at San Francisco on June 26, 1945, see 59 Stat. (pt. 2) 1031, or Department of State Treaty Series (TS) No. 993; for documentation on the United Nations Conference on International Organization which met at San Francisco April 25–June 26, 1945, see *Foreign Relations*, 1945, vol. 1, pp. 1 ff.

<sup>4</sup> There is an informative record of oral and written statements made to the House Foreign Affairs Committee in *Hearings*, May 4–14, attesting to the desire for Charter revision among segments of the U.S. public.

major power. The San Francisco conference created an organization, the purposes and principles of which corresponded with the objectives of the United States foreign policy. The organization as developed at San Francisco received the overwhelming endorsement of the American people and had the virtually unanimous approval of the United States Senate.

This organization was designed to consolidate and strengthen over a long period of time the foundations of peace through common action in solving political, economic, social, cultural, and health problems. Machinery was established for the settlement of international disputes by peaceful means so that the advice and assistance of all members, and the mobilization of world public opinion, might be brought to bear in the pacific settlement of disputes. It was found possible to go considerably farther than the League of Nations in the establishment of enforcement machinery, but at the San Francisco conference none of the major powers was prepared to grant to this organization the right of enforcement against a major power.

When universal agreement to the Charter was achieved, the strength of the major powers in relation to one another was such that no one of them could safely break the peace if the others stood united in defense of the Charter. Under existing world circumstances the maintenance of a comparable power relationship is fundamental to world security.

The aspirations of the people of the world as set forth in the Charter of the United Nations have been shaken by developments since the summer of 1945. It gradually became apparent that the postwar conditions anticipated at San Francisco were not being realized. The failure of concerted action by the major Allies rendered it necessary for the United States Government to attempt to create the desired postwar conditions in cooperation with other states willing to do so.

It became progressively clearer that serious misconceptions prevailed in the minds of the leaders of the Soviet Union concerning western civilization and the possibilities for developing stabilized working relations between the Soviet Union and the other members of the community of nations. It is a misconception to suppose that domination of the world by a single system is inevitable. It is a misconception to suppose that differing systems cannot live side by side in peace under the basic rules of international conduct prescribed by the Charter of the United Nations. These rules are obligatory upon all members.

A fundamental task of the United Nations and of our foreign policy is to dispel the misconceptions of the Soviet leaders and to bring about a more realistic view of what is possible and what is impossible in the relationship between the Soviet Union and the world at large. In



this way there can be restored to international society the equilibrium necessary to permit the United Nations to function as contemplated at San Francisco.

Our realization of the need for this equilibrium has led to action along several lines, all designed to create conditions favorable to the working of the United Nations. The first necessary step was to insure the freedom and independence of the members. The ability of democratic peoples to preserve their independence in the face of totalitarian threats depends upon their determination to do so. That determination in turn depends upon the development of a healthy economic and political life and a genuine sense of security.

Therefore, the United States Government is responding to requests to provide economic assistance to various countries in Europe and elsewhere. The United States is cooperating with 16 European countries in a recovery program providing for self-help and mutual aid.<sup>5</sup>

The United States Government is now considering the steps necessary to bring the national military establishment to the minimum level necessary to restore the balance of power relationships required for international security.<sup>6</sup>

The United States is acutely aware that the return of a sense of security to the free nations of the world is essential for the promotion of conditions under which the United Nations can function. The necessary steps for self-protection against aggression can be taken within the Charter of the United Nations. The Charter recognizes in article 51 the right of individual and collective self-defense against armed attack until the Security Council has taken the measures necessary

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<sup>5</sup> For documentation regarding the European Recovery Program (the Marshall Plan), see vol. III, pp. 352 ff.

<sup>6</sup> This refers to the important policy decision made earlier in the year (March) by the Administration to re-arm in the face of the development of Soviet political policy in Europe: specifically it involved proposals for the adoption of universal military training and the re-enactment of selective service legislation. This policy to take up a more realistic military posture was set forth by the Executive to the Congress in two major statements on March 17, 1948: an address by President Truman to a joint session of the Congress (entitled "Toward Securing the Peace and Preventing War"; for text see Department of State *Bulletin*, March 28, 1948, pp. 418 ff.); and a statement made before the Armed Services Committee of the Senate by the Secretary of State ("Relation of Military Strength to Diplomatic Action," *ibid.*, pp. 421 ff.). At the same time Ambassador Warren R. Austin, United States Representative at the United Nations, issued a statement tying together the military policy and the United Nations policy of the United States, saying that "The position of the United States in its discharge of its inescapable responsibilities and as a force for the solution of the problems before us by agreement, will be improved if our military posture is strengthened" (*ibid.*, p. 418).

Documentation on military posture as related to United States foreign policy is included in material on national security policy, scheduled for publication in part 2 of the present volume.

For documentation relating these events to the development of this Government's policy towards military talks then being undertaken by certain West European governments, see vol. III, pp. 1 ff.

to preserve peace and security. Articles 52, 53, and 54 provide for regional arrangements dealing with the maintenance of international peace and security, on condition that such arrangements are consistent with the purposes and principles of the Charter.<sup>7</sup>

In recognition of the possibility foreseen in the Charter that an armed attack might occur upon a member of the United Nations, despite the binding obligations accepted by every member to refrain from the threat or use of force against another state, the United States and the other American republics concluded at Rio de Janeiro last year a treaty for individual and collective self-defense. Certain countries of western Europe likewise have organized themselves into a Western Union, for their individual and collective self-defense. By such arrangements under article 51 of the Charter and the articles providing for regional arrangements, constructive steps have been taken to bulwark international security and the maintenance of peace. Our intention to afford encouragement and support to arrangements made by free nations for the preservation of their independence and liberty has already been stated by the President in his message to the Congress on March 17th.

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<sup>7</sup> U.S. interest in the pursuit of individual and collective self-defense under the Charter of the United Nations, with particular reference to Article 51, culminating in the "Vandenberg Resolution", Senate Resolution 239, June 11, 1948 is documented in vol. III, pp. 1 ff. This phase of United States defense policy, under the United Nations Charter, evolved with special attention to the current efforts of certain West European governments to achieve closer military unity. The text of the "Vandenberg Resolution" reads as follows:

"Whereas peace with justice and the defense of human rights and fundamental freedoms require international cooperation through more effective use of the United Nations: Therefore be it

*Resolved*, That the Senate reaffirm the policy of the United States to achieve international peace and security through the United Nations so that armed force shall not be used except in the common interest, and that the President be advised of the sense of the Senate that this Government, by constitutional process, should particularly pursue the following objectives within the United Nations Charter:

(1) Voluntary agreement to remove the veto from all questions involving pacific settlements of international disputes and situations, and from the admission of new members.

(2) Progressive development of regional and other collective arrangements for individual and collective self-defense in accordance with the purposes, principles, and provisions of the Charter.

(3) Association of the United States, by constitutional process, with such regional and other collective arrangements as are based on continuous and effective self-help and mutual aid, and as affect its national security.

(4) Contributing to the maintenance of peace by making clear its determination to exercise the right of individual or collective self-defense under article 51 should any armed attack occur affecting its national security.

(5) Maximum efforts to obtain agreements to provide the United Nations with armed forces as provided by the Charter, and to obtain agreement among member nations upon universal regulation and reduction of armaments under adequate and dependable guaranty against violation.

(6) If necessary, after adequate effort toward strengthening the United Nations, review of the Charter at an appropriate time by a General Conference called under article 109 or by the General Assembly."



The United States Government has followed an active policy of strengthening the existing machinery of the United Nations.

(1) We have endeavored to assure that the United Nations would carry out its responsibilities in dealing with the dangerous political issues which have arisen in various quarters of the world. We have sought to promote its basic work on economic problems, human rights, freedom of information, health, and related needs.<sup>8</sup>

(2) We have made proposals toward restraining the use of the veto in the Security Council and reducing the scope of the veto through its elimination from matters of pacific settlement and the admission of new members.<sup>9</sup>

(3) We proposed the establishment of an Interim Committee of the General Assembly, popularly known as the Little Assembly, to consider various possibilities for improving international cooperation and to put to work the undeveloped powers of the General Assembly in the field of international security. By means of this Committee the far-reaching influence of the General Assembly is being brought more effectively to bear in fulfilling the purposes and principles of the Charter.<sup>10</sup>

The United Nations is the forum of daily world negotiation. It is the world's vehicle for dealing with basic economic and social maladjustments, for developing safeguards of essential freedoms, for advancing the development of dependent peoples and areas.

On several occasions negotiation in the United Nations, even during its short history, has postponed fighting long enough to remove the cause for fighting. It is a forum of negotiation where charges or distortions are held answerable, where violations of treaty obligations must meet the verdict of world opinion, and where those responsible must answer for their conduct. It is a forum where the nations of the world are called upon to uphold the purposes and principles of the Charter. United Nations negotiation affords continuing working contacts in international relations and an open door to communication between the East and the West.

A number of projects designed to improve international conditions by new forms of international organization have been proposed. These projects envisage radical changes in the existing United Nations Charter. Some propose the elimination of a veto on enforcement

<sup>8</sup> The policies of the United States at the United Nations in respect of the "general welfare" objectives of the Charter may be traced in general terms in the Department of State *Bulletin*; in the reports by the President to the Congress regarding *United States Participation in the United Nations*, for the appropriate year; and in Department of State Publication 3655, *International Organizations in which the United States Participates 1949*. Regarding human rights, see pp. 289 ff.

<sup>9</sup> For documentation regarding U.S. policy with respect to the voting question in the Security Council, see pp. 205 ff.

<sup>10</sup> For documentation regarding the Interim Committee, see *ibid.* The United States played an important role in the establishment of the Interim Committee by the General Assembly in 1947; see *Foreign Relations, 1947*, vol. 1, pp. 166 ff.

measures, the establishment of inequality of voting among the major powers, and the virtual elimination of the influence of small nations in Security Council decisions. Others go beyond the revision of the United Nations Charter and call for the establishment of new forms of international structure along the lines of world government. In general, the proponents of these projects recognize the probability that the proposals would not be accepted by at least one of the major powers and by a number of other governments now members of the United Nations. They advocate that in this case the respective projects be put into effect among such nations as would accept them.

All of these projects appear to rest on the assumption that the present unsatisfactory state of world affairs is a result of inability on the part of the United Nations to prevent aggression; that this inability arises from the exercise of the veto power in the Security Council and the lack of a United Nations police force; that if the veto power on enforcement decisions could be removed and the United Nations provided with armed forces, aggression could be prevented; and that the principal barrier to world peace would thereby cease to exist.

The general assumption rests I think on an incomplete analysis of our main problems of foreign policy at this juncture and of the part which international organization can play in solving them.

The underlying problem in the immediate future is to bring about the restoration of economic, social, and political health in the world and to give to the peoples of the world a sense of security which is essential for them to carry on the task of recovery. What is needed for the achievement of a world order based on law and dedicated to peace and progress is a widespread improvement in the material and social well-being of the peoples of the world. The responsibility for such improvement will always rest primarily upon the peoples and governments themselves. In this field the United Nations, however, can play an increasingly active role.

The factor of military strength is of immediate and major importance in the present world situation, but is not the element which will be paramount in the long run. The emphasis often placed solely on the military aspects of world affairs does a disservice to the cause of peace. The more that present differences are talked about and treated exclusively as a military problem, the more they tend to become so.

The problems today presented to those who desire peace are not questions of structure. Nor are they problems solvable merely by new forms of organization. They require performance of obligations already undertaken, fidelity to pledges already given. Basic human frailties cannot be overcome by Charter provisions alone, for they exist in the behavior of men and governments.

The suggestion that a revised United Nations, or some form of world government, should be achieved, if necessary, without those nations which would be unwilling to join, deserves special attention. Such a procedure would probably destroy the present United Nations organization. The result would be a dispersal of the community of nations, followed by the formation of rival military alliances and isolated groups of states. This result would weaken us and expose us to even greater dangers from those who seek domination of other states.

It is not changes in the *form* of international intercourse which we now require. It is to changes of *substance* that we must look for an improvement of the world situation. And it is to those changes of substance that our policy has been directed. When the substance of the world situation improves, the United Nations will be able to function with full effectiveness. Meanwhile we will continue our efforts in cooperation with other governments to improve the working of the United Nations under the Charter.

The United Nations was created after years of study and after many months of difficult negotiations. It now has 58 members. It is the symbol of the aspirations of mankind. Its success is the hope of mankind. All new efforts to attain order and organization in the affairs of men require time to grow roots in the loyalties of men. The history of our own people testifies to this necessity. Let us not in our impatience and our fears sacrifice the hard-won gains that we now possess in the United Nations organization.<sup>11</sup>

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<sup>11</sup> The United States Representative at the United Nations (Austin) also made a statement to the House Committee on Foreign Affairs on May 5, 1948; for text, see Department of State *Bulletin*, May 16, 1948, pp. 626 ff. Both the Secretary's statement and Ambassador Austin's were published subsequently in Department of State Publication 3159, *Strengthening the United Nations* (Washington, Government Printing Office, 1948).

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### *Editorial Note*

H.R. 6802 was reported out favorably by the House Foreign Affairs Committee on June 9, 1948 (House Report No. 2291, 80th Cong., 2d sess.), but had not been acted upon by the House of Representatives when the Congress adjourned conditionally on June 20, 1948. When the Congress was reconvened by President Truman on July 26, 1948, the House of Representatives took separate action on Part IV of H.R. 6802, relating to the United Nations Headquarters Loan Agreement, but regarding other provisions of the bill action was deferred until the beginning of the 81st Congress (a special statement pledging the House leadership then to take action was issued on August 3, 1948).



For further documentation and/or comment regarding the substance of the proposals contained in H.R. 6802, see as follows: the Headquarters Loan, pages 34 ff.; the representation of the United States at the United Nations, pages 1 ff.; and the General Convention on Privileges and Immunities of the United Nations, pages 34 ff.

## II. ATTITUDE OF THE UNITED STATES TOWARD PROPOSAL BY THE SECRETARY-GENERAL OF THE UNITED NATIONS FOR THE ESTABLISHMENT OF A UNITED NATIONS SECURITY GUARD

IO Files :US/S/703, also US/A/1165

*Position Paper Prepared at the United States Mission to the United Nations*<sup>1</sup>

SECRET

[New York,] August 12, 1948.

### CREATION OF A UNITED NATIONS SECURITY GUARD

#### PROBLEM

To determine what position the United States should take with reference to the proposal of Secretary General Lie that he recruit and organize a United Nations security guard.

#### RECOMMENDATIONS

1. That the United States support the establishment of a United Nations security guard on the following bases:

a. That its functions be: (1) to accompany a UN mission at its request in order to guard its personnel, quarters and property and in order to perform such other closely related duties as the mission may direct, in the performance of its assigned tasks; and (2) to perform such other similar duties as the Secretary General may determine in accordance with the authority granted him under the Charter;

b. That the force be limited initially to 300-500 men, supplied with light arms, recruited as individuals and not as national contingents, on the same basis as the rest of the Secretariat and that the existing UN Guard be incorporated in it;

c. That the force be financed as part of the regular budget of the UN.

2. That the force be recruited by the Secretary General as part of the regular United Nations staff, pursuant to a special resolution of the

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<sup>1</sup> This paper was approved by the Department of State in telegram 523 to New York, August 11, not printed (501.BB/8-1148). The general position of the Department of State on this question was outlined to the Secretary of Defense by the Secretary of State in a letter of August 4 which Secretary Marshall indicated was being sent primarily for information only, since the matter was considered not to involve substantial military interest (IO Files, Doc. US (P)/A.C. 1/10).



next session of the General Assembly, and under a budget authorization.

3. That it be made clear that such a force is entirely separate from the provision of armed forces under Article 43 and, for the present at least, from the creation of any special force for the policing of Jerusalem.

4. That the Secretary General be informed that the United States is prepared to support action along the above lines at the next General Assembly, if the Secretary General, after consultation with other Members, considers there is substantial support for the proposal and decides to present such a recommendation to the Assembly.

#### BACKGROUND FACTS

1. The Secretary General's proposal was originally broached in a luncheon conversation with Secretary Marshall and Senator Austin on May 25, 1948. In a letter to Senator Austin on May 27 (Tab A)<sup>2</sup> the Secretary indicated some important advantages to the idea. Senator Austin also supports the general concept of a small force under the Secretary General, but believes it undesirable to permit its use by the Security Council for enforcement purposes (Tab B).

The proposal, as elaborated somewhat in a speech by the Secretary General at Harvard on June 10<sup>3</sup> and as set out in a memorandum from him to certain officials of other Governments (Tab C), apparently envisages a force of from 1,000 to 5,000 men (1,200 has been specifically mentioned), to be recruited largely, if not entirely, from the smaller countries. The force would be under the direction of the Secretary General but subject to use by the other organs. It would be given light weapons and mobile equipment and would be based near UN Headquarters. It would be financed from a special budget and would cost approximately six million dollars if kept in the United States for training, or eight million dollars if foreign travel of a substantial portion were involved.

The following have been indicated as illustrative functions to provide armed guards for UN missions and property; to guard the polls in plebiscites; to maintain order in a small UN trust territory; to exercise control and police functions in the implementation of provisional measures under Article 40, and perhaps to execute a Security Council decision for the prevention of a breach of peace in a localized situation.

2. The Secretary General recently sent 51 members of the regular UN staff (principally from the UN security guard and a majority

<sup>2</sup> Tabs (A-D) are not printed.

<sup>3</sup> Address delivered by Mr. Trygve Lie to the Harvard Alumni Association, Cambridge, Massachusetts, June 10, 1948.

of them US citizens) to serve as guards assigned to the Palestine Mediator and to perform such other duties as he may direct. Pursuant to a request from the Mediator, the Secretary General has been working on plans for the recruitment of a 1,000 man force from the three truce countries to implement the expected agreement for the demilitarization of Jerusalem. The United States expressed its agreement and stated that, since it can neither send U.S. forces nor itself recruit U.S. citizens for such a purpose, recruitment should be undertaken by the Secretary General.

3. At the present time about 175 U.S. military personnel are attached to UN missions in Palestine, the Balkans, Kashmir and Indonesia.

4. To assist in maintaining order during the Saar plebiscite in 1925 [1935], a force of 3,300 men was supplied by the United Kingdom, Italy, the Netherlands and Sweden pursuant to a decision of the League of Nations Council and operated under the authority of the Plebiscite Commission. This appears to be the only significant case under the League in which armed forces were used.

#### DISCUSSION

1. *General*. The proposal is basically sound and would have a number of advantages:

*a.* Detachments from such a guard accompanying UN missions to areas of dispute would increase the effectiveness of those missions. Such a detachment would be able to furnish a considerable degree of real protection to the property, personnel and employees of the mission and to persons with whom the mission was called upon to deal. It could perform other services for the mission which would greatly facilitate the latter's operations, including assistance on the problem of communication facilities. The presence of a small guard could be expected to have an important psychological effect on the members of the mission, and on the persons with whom the mission was called upon to deal. In most places where UN missions operate, the people do not understand the UN. To these people the guard would represent the determination of the United Nations to carry out its mission for the preservation of peace. It is believed that the symbolic effect of such guards would be out of all proportion to the actual capabilities of the detachment.

*b.* The establishment of such a guard would likewise have a desirable psychological effect generally in demonstrating a determination of the Member Governments in making a beginning toward equipping the United Nations with force. It would be an earnest of their intention to make the United Nations effective. It would contribute to implementing the mandate in the Senate Resolution for additional steps to strengthen the United Nations.<sup>4</sup>

<sup>4</sup> A reference to the so-called "Vandenberg Resolution" (S.J. Res. 239, June 11, 1948) ; for text, see footnote 7, p. 25.

c. General support might be expected in the General Assembly for such a proposal, provided the force were to be recruited on as wide a geographic basis as possible and the functions of the Secretary General so defined as to allay fears of misuse or of invasion of the Security Council's authority. Under such conditions, USSR support might well be forthcoming since they have recently been endeavoring to have Russian soldiers included in the Palestine Guard.

d. Together with, or apart from, any affirmative steps taken by the United States prior to or at the Assembly toward the implementation of Article 43, U.S. support of a UN guard would help counteract the expected Soviet attempt to place on United States shoulders the blame for preventing the United Nations from becoming effective in the security field.<sup>5</sup>

The principal specific aspects to be considered are: (a) the functions of the guard; (b) the method of its establishment; (c) its size, recruitment and cost; and (d) its relation to Article 43 forces and to the proposed Jerusalem Guard.

[Here follows discussion of the four subjects mentioned in the immediately preceding paragraph.]

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<sup>5</sup> For documentation regarding this subject, see pp. 311 ff.

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501.BB/11-2648: Telegram

*The Acting Chairman of the United States Delegation to the  
General Assembly (Dulles) to the Secretary of State*

SECRET

PARIS, November 26, 1948—9 p. m.

Delga 954. Following are Delga decisions November 24: Proposed UN guard. Considered US position on proposed UN guard. Discussed possible complications where armed UN guard might be attacked in the field; noted no basic objection but some concern was expressed by military advisers lest employment of guards might indicate possibility further commitment. Gross said Soviets, British, Belgians, and perhaps others now desirous minimizing their commitment of support of SYG's proposal in view unexpectedly high budget. Objection raised use UN guards for protection supply lines or for guarding neutralized objectives under truce or cease-fire orders as contemplated SYG's proposal. Conflicting views expressed on desirability specifying in detail functions UN guard in preference to broader terms of reference. Possibility also considered simply authorizing SYG increase present number guards with further study of SYG's proposal referred IC or some other body. Decided sound out UK, French, Belgians and perhaps other delegates without giving appearance US



receding from its position of support as stated in position paper (US (P)/A/C.1/345).<sup>1</sup>

DULLES

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<sup>1</sup>This paper consisted of the statement of the problem and the recommendations contained in the longer position paper US/S/703 (US/A/1165), August 12, 1948, p. 29.

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*Editorial Note*

On November 15, 1948, the General Assembly had assigned the question of the proposed United Nations Guard to a newly-created *Ad Hoc* Political Committee. This committee had other items before it also and on December 9, pressed for time and as its last order of business in 1948, it voted to hold over consideration of this matter until the reconvening of the General Assembly in New York in April 1949.

After the General Assembly commenced the second part of the third session on April 5, 1949, the *Ad Hoc* Committee took up security guard proposal in three meetings; and on April 11, 1949 submitted a report with an accompanying draft resolution to the General Assembly (United Nations document A/835); for text of the report, see United Nations, *Official Records of the General Assembly, Third Session, Part II, Plenary Meetings, Annexes*, pages 46–48. The draft resolution provided for the establishment of a special committee of fourteen members, including the five permanent members of the Security Council. The special committee was to study the proposal for a United Nations guard “. . . in all its relevant aspects, including the technical, budgetary and legal problems involved, and such other proposals as [might] be made by Member States and by the Secretary-General with regard to other similar means of increasing the effectiveness of the services provided to the United Nations missions by the Secretary-General and prepare a report embodying its observations and recommendations for consideration during the fourth regular session of the General Assembly.” (*ibid.*, page 48)

The General Assembly took up the report of the *Ad Hoc* Committee on April 29, 1949, additionally considering a technical amendment submitted by the Argentine representative, and took favorable action on the same day; for the proceedings, see United Nations, *Official Records of the General Assembly, Third Session, Part II, Plenary Meetings*, pages 211 ff. For the statement to the General Assembly by the United States representative, Benjamin V. Cohen, in support of the report and draft resolution, see *ibid.*, pages 220–221. For text of Resolution 270 (III), see United Nations, *Official Records of the General Assembly, Third Session, Part 2, Resolutions*, pages 16–17.



III. ESTABLISHMENT OF THE SEAT OF THE UNITED NATIONS IN THE UNITED STATES: MATTERS RELATED TO THE IMPLEMENTATION OF THE HEADQUARTERS AGREEMENT OF 1947; THE UNITED STATES POSITION REGARDING THE GENERAL CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS; THE UNITED STATES-UNITED NATIONS HEADQUARTERS LOAN AGREEMENT<sup>1</sup>

501.AC/12-347

*The Legal Adviser of the Department of State (Gross) to the Director of the Legal Department, Secretariat of the United Nations (Feller)*

WASHINGTON, December 3, 1947.

MY DEAR MR. FELLER: Reference is made to my letter of September 11, 1947 to Dr. Ivan Kerno,<sup>2</sup> regarding the meaning of Article VII of the Convention on Privileges and Immunities of the United Nations.<sup>3</sup>

Before giving further consideration to this matter, the Department of State would appreciate receiving a statement from the United Nations indicating the specific circumstances under which United Nations personnel may be required to travel on United Nations *laissez-passers* without having a national passport in their possession.

It would also be helpful in the consideration of the problem if the United Nations could indicate whether it could assume responsibility for seeing that a *laissez-passer* is not issued to an employee of the United Nations unless:

1. The country of which he is said to be a national on the *laissez-passer* has assumed the obligation, prior to the issuance of the *laissez-passer*,

(a) to recognize as true the statements in such document concerning identity and nationality, and

(b) to permit the entry into that country of the person said to be a national thereof on the *laissez-passer*, in the event his status as a United Nations employee is terminated, or

2. The United Nations has ascertained that a country other than the one of which such employee is said to be a national on the *laissez-passer* has agreed to receive him in the event his status as United Nations employee is terminated.

<sup>1</sup> For previous documentation relating to these matters, see *Foreign Relations*, 1947, vol. I, pp. 22 ff.

<sup>2</sup> *Ibid.*, p. 53. Dr. Ivan S. Kerno was United Nations Assistant Secretary-General for Legal Affairs.

<sup>3</sup> For text of Article VII, see p. 42; for text of the General Convention (as it came to be known), see United Nations, *Official Records of the General Assembly, First Session, Part I, Resolutions*, p. 25.

This may be accomplished by amending Article VII of the Convention on the Privileges and Immunities of the United Nations. Consideration may also be given to a supplementary agreement.

Sincerely yours,

ERNEST A. GROSS

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501.AC/1-948

*The Director of the Legal Department, Secretariat of the United Nations (Feller) to the Legal Adviser of the Department of State (Gross)*

NEW YORK, January 9, 1948.

MY DEAR MR. GROSS: In reference to your letter of 3 December 1947 regarding the meaning of Article VII of the General Convention on Privileges and Immunities of the United Nations, I wish to thank you for the interest you have expressed in this matter. Your letter is particularly pertinent at this time since the Report of the Sixth Committee, approved by the General Assembly, at its recent session dealt specifically with this question. Section 14 of the Report (Document A/427) which I enclose,<sup>1</sup> indicates the hope of the Committee "that future negotiations between the Secretary-General and the appropriate authorities of the United States might lead to a modification of the views of the United States Government as hitherto expressed to the Secretary-General with the result that the provisions of Article VII should produce the full effects that they were designed to secure".

Before answering the questions contained in your letter of 3 December 1947, it seems necessary to clarify the position of the United Nations concerning the *laissez-passer*, and its scope. In this connection, I would like to refer to your letter of 11 September 1947 to Dr. Ivan Kerno regarding the *laissez-passer*. You mention the fact that in one stage of the drafting of the General Convention on Privileges and Immunities of the United Nations, the word "passport" was used in Article VII, but in the final draft, the word "*laissez-passer*" is used. Originally, in the Preparatory Commission and in the Sixth Committee at the first Session of the General Assembly, the word "passport" was used, and Article VII provided that the organization might issue a United Nations passport to its officials, all such United Nations passports to be recognized and accepted as passports by the authorities of members. However, in a sub-committee of the Sixth Committee, at the instigation of the Representative of Poland, a drafting change was made in this section, supplementing for the word "passport" the words "*laissez-passer*" and "valid travel document". There was no indication at that time that such a change was meant to alter the original inten-

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<sup>1</sup> Marginal notation: "No enclosure when read in Le".

tion of Article VII to have a valid travel document serving as a United Nations passport, or to make such a travel document merely a certificate attesting to the United Nations affiliation of the bearer in respect to travel, as was suggested in the Report of the Foreign Relations Committee of the United States Senate. In fact, the majority of the Committee seemed to feel that such a travel document, serving as a passport was necessary, under the terms of Articles 104 and 105 of the Charter, to insure the independence of the officials of the United Nations so that in each case where it was necessary for such an official to travel, it would not be necessary for his government to be consulted. To make the matter even clearer, Section 25 of the General Convention provides for the additional issuance of a certificate when such an official is travelling on United Nations official business.<sup>2</sup>

I understand from your present letter and previous conversations with the United States Delegation to the United Nations General Assembly, that your Government is concerned with the situation that might arise insofar as United Nations officials are concerned, if such officials become resident in the United States and are then not returnable to another country at the time when they are terminated from the United Nations. We can fully appreciate your point of view; however, it is felt that this problem does not arise from the *laissez-passer* or its use. Officials of the United Nations who are in the United States on a valid national passport or are resident aliens before their appointment to the United Nations do not change their status as far as the United States is concerned; nor does it affect their returnability to the country of origin, merely because they may have been given a *laissez-passer* to depart from and re-enter the United States.

In answer to the first question in your letter of 3 December 1947, the *laissez-passer* is to be used by officials of the United Nations to facilitate the travel of such persons while on temporary missions abroad, to insure that such missions may be made rapidly and independently of national governments.<sup>3</sup> It is however the intention of the United Nations to allow its personnel to travel on *laissez-passer* for short leaves. In reference to the suggestions made in paragraphs 1 and 2 of your letter, I would like to point out that if the United Nations were to adopt the procedures suggested in these paragraphs, it would mean

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<sup>2</sup> At this point the following comment was made in a marginal notation by Richard W. Flournoy, Assistant Legal Adviser for Special Problems, in the Office of the Legal Adviser: "What it says is that applications for visas by holders of such certificates should be dealt with speedily. It recognizes the right to require visas."

Other marginal notations inscribed on this document were also made by Mr. Flournoy.

<sup>3</sup> Marginal notation: "No. Right to require visas recognized by Sec. 25 of Convention."



that in each instance where it was necessary for a United Nations official to travel abroad for the United Nations, the country of which he was a national would have to be consulted in order that permission for such travel might be granted. After that it might still be necessary to consult the Government of a second country. It is obvious that in such cases officials of the organization would not have all the facilities required for the independent exercise of their functions as defined in Article 105 of the Charter. Furthermore, it is to be assumed that an individual will usually be returnable to the country of which he has held a valid national passport.<sup>4</sup> Therefore, the problems which might arise from the use of the *laissez-passer* seems to exist primarily as far as the persons not holding a valid national passport at the time of their appointment to the United Nations are concerned.

In conjunction with your letter, and in order to further the wish of the General Assembly that further negotiations be carried out with the United States Government to clarify this matter, we wish to suggest the following procedure in the hope that it may be acceptable to your Government and remove its doubt as far as the *laissez-passer* is concerned, to such an extent that the resolution of the Congress of the United States acceding to the General Convention will not contain the amendment that is now suggested.<sup>5</sup> It is suggested that in order to facilitate such an accession, the United Nations make the following administrative arrangements regarding the *laissez-passer*:

1.<sup>6</sup> When *laissez-passer* are issued at the seat of the United Nations or in the regional United Nations offices to non-Americans having a valid national passport at the time of appointment to the United Nations, a documentary photostatic copy of each national passport upon which the *laissez-passer* was issued will be kept and made available to the proper officials of the United States Government.

2. *Laissez-passer* to be issued in the United States to non-Americans not holding a valid national passport at the time of issuance only if they are already residing in the United States at the time of issuance. The names and status of such persons and the number of the documents issued to them to be communicated to the United States Government at the time of issuance.

3. *Laissez-passer* to be issued outside the United States to non-Americans not holding a valid national passport at the time of appointment and resident abroad upon basis<sup>7</sup> that consuls will be informed of the said lack of a valid national passport on the part of these per-

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<sup>4</sup> Marginal notation: "Yes. Unless he has lost his nationality."

<sup>5</sup> Marginal notation: "What is that?"

<sup>6</sup> Items numbered 1, 2, 3, and 4 are blocked off and the following observation inscribed opposite them in the margin: "Shouldn't they obtain re-entry permits?"

<sup>7</sup> The word "basis" is underlined and the marginal entry made, "condition?"

sons at the time a visa is requested.<sup>8</sup> Arrangements<sup>9</sup> can thereupon be made insofar as these persons are concerned.

4. *Laissez-passer* to be issued to citizens of the United States upon proper evidence of citizenship being presented to the proper issuing officials of the United Nations, such evidence to be the same as that required by the United States Passport Bureau as evidence of United States citizenship.<sup>10</sup>

If such a procedure is followed it should remove any difficulties which might be caused by the use of the *laissez-passer* as a passport. The persons mentioned above in category (1) in any case would be admissible to the United States on the basis of a valid national passport which would be visaed under Section 203 (7), Title 8, USC,<sup>11</sup> of the United States Immigration Law,<sup>12</sup> inasmuch as the person requesting the visa would be an employee of an international organization. The issuance of a *laissez-passer* to a person whose nationality was evidenced by his passport would be recorded by the United Nations and the documents made available to the proper United States officials. Such a person should, upon severance from the United Nations, be returnable to the country of which his passport states he is a national. Insofar as persons in category (2)<sup>13</sup> are concerned, if a *laissez-passer* is not issued to them until they have already been allowed entry into the United States, the position of the United States Government as far as their deportability is concerned will not be changed by the fact that they are allowed to go out of and re-enter the country on a United Nations *laissez-passer*.<sup>14</sup> As to those persons in category (3), if these persons are not issued a United States visa on a *laissez-passer* until some arrangements had been made, and the United States Consul is so directed, such persons cannot become a burden on the United States Government due to the use of the *laissez-passer*.<sup>15</sup> Since, to enter the United States, United States citizens are ordinarily only required to have proof of citizenship, and there is ordinarily no restriction on their leaving the United States, proper guarantee<sup>16</sup> that such persons

<sup>8</sup> At this point a question is noted marginally: "Shouldn't consuls require satisfactory explanations of failure to submit passports, and satisfactory evidence of nationality?"

<sup>9</sup> "Arrangements" is underlined and the marginal query made: "for what—issuance of visas?"

<sup>10</sup> A marginal entry beside paragraph numbered 4 reads: "Would this violate U.S. law? See 22 U.S. Code, 211 (a)."

<sup>11</sup> Here appears the marginal notation: "or re-entry permit when [*laissez-passer*] issued in U.S.?"

<sup>12</sup> Acts of Congress of May 26, 1924 (43 Stat. 153); July 6, 1932 (47 Stat. 607); July 1, 1940 (54 Stat. 711); and December 29, 1945 (the International Organizations Immunities Act) (59 Stat. 669), related to the definition of immigrant.

<sup>13</sup> Marginal notation beside section (2) reads "Yes".

<sup>14</sup> At this point, the query is made: "Why shouldn't they get re-entry permits?"

<sup>15</sup> The lengthy sentence beginning with "Since" carries the notation: "This seems to relate to category (4)".

<sup>16</sup> Here a marginal notation reads: "Who would give the guarantees and on what basis?"

are United States citizens before issuance of the *laissez-passer*, should be a sufficient safeguard insofar as these persons are concerned.

An additional reservation might be made insofar as categories (2) and (3) are concerned to the effect that such *laissez-passers* are to be returned to the issuing department immediately after use, or are valid only for a limited period, in the same manner that a re-entry permit is picked up by the United States Immigration Officials when an alien immigrant re-enters the country. Of course, all *laissez-passers* are returned to the United Nations when an official is severed from the organization.

If such an internal administrative arrangement as that suggested in paragraphs 1 to 4 above is acceptable to your Government, an exchange of letters could take place between the Secretary-General, and the Secretary of State, confirming this procedure, and the relevant information could then be communicated to the appropriate committee of the United States Congress in order that such committees might take action accordingly.

I would very much appreciate your views on this matter since it seems highly desirable for some solution to be arrived at as soon as possible. If it appears necessary to carry on further discussions in order to arrive at such a solution, we would be glad to send a member of the staff to Washington to discuss this matter.

Sincerely yours,

A. H. FELLER

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USUN Files

*United Nations Press Release M/373, Issued at Lake Success,  
New York, January 12, 1948*

#### UN AND US REPRESENTATIVES REACH UNDERSTANDING ON PROCEDURE FOR CONSULTATION ON ACCREDITATION OF CORRESPONDENTS TO THE UNITED NATIONS

Representatives of the United States and the United Nations held discussions today on procedures of consultation under the Headquarters Agreement as it relates to representatives of the press, radio, films and other agencies of information.

The United States was represented by:

Charles M. Hulten, Deputy Assistant Secretary of State for  
Administration

Michael J. McDermott, Special Assistant to the Secretary of State  
for Press Relations

Walter M. Kotschnig, Chief, Division of International Organiza-  
tion Affairs



George S. Knight, Assistant to the Legal Advisor, Department of State

Tom Power, Deputy Secretary-General, United States Mission to the United Nations

Porter McKeever, Director of Information, United States Mission to the United Nations

P. A. Esperdy, Chief, Expulsion Section, New York District of the Immigration and Naturalization Service.

The United Nations was represented by:

Tor Gjerdal, Principal Director of the Department of Public Information

A. H. Feller, General Counsel and Principal Director of the Legal Department

Hanna Saba, Director of the Division of Immunities and Registration of Treaties

Wilder Foote, Director, Press and Publications Office

George Barnes, Director of Press Relations

Carol Crosswell, Legal Officer.

A general understanding was reached on the following system of consultation:

1. The United Nations will notify the United States of all applications for accreditation. The United States will, within a period of two weeks, notify the United Nations of any comments it cares to make on such applications. After due consideration of the views of the United States, the United Nations will decide on the accreditations in its discretion and notify the United States of its action. If the United Nations decides to grant accreditation, Article 4 of the Headquarters Agreement will apply.

2. The same procedure will apply to applications for renewal of accreditation and to any other changes in the status of representatives already accredited, except that during the period of consultation, the representative concerned will continue to enjoy the status of an accredited representative under the Headquarters Agreement.

3. The United Nations will notify the United States of all presently accredited representatives and these representatives will be recognized by the United States as coming under the terms of the Headquarters Agreement pending full establishment of the procedures of consultation on or before March 1, 1948.

Mr. Gjerdal, who acted as chairman of the meeting, expressed the appreciation of the United Nations at the spirit of cooperation and good-will of the United States representatives, and his pleasure at the good understanding arrived at.

Mr. Hulten expressed the desire of the United States of America to facilitate the full application of the Headquarters Agreement to

representatives of the press, radio, film and other information agencies accredited to the United Nations.

Further discussions will be held to work out details of the system of consultation.

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L/UNA Files : folder entitled "Privileges and Immunities"

*Memorandum by Mr. Richard W. Flournoy, Assistant Legal Adviser for Special Problems, to Mr. Belton O. Bryan, Assistant Legal Adviser*

[WASHINGTON,] February 17, 1948.

USE OF THE UNITED NATIONS LAISSEZ-PASSER BY OFFICIALS AND EMPLOYEES OF THE UNITED NATIONS IN ENTERING AND LEAVING THE UNITED STATES

LETTER OF JANUARY 9, 1948 FROM MR. A. H. FELLER, DIRECTOR  
LEGAL DEPARTMENT, UNITED NATIONS

Mr. Feller's letter, which you handed to me some time ago for comment, raises rather difficult problems, which involve the status of the United Nations and its relationship to this Government. I have studied the problem with considerable care and have discussed it with several persons. In this connection I have endeavored to ascertain whether it is proposed that the *laissez-passer* should be issued in any cases to aliens who have not yet come to this country, and if so how. I had some difficulty in ascertaining what agencies the United Nations organization has in foreign countries, by which the *laissez-passer* might be issued. With regard to this I was referred to Dr. Saba,<sup>1</sup> and I understand from his statement that at the present time there is no branch office of the United Nations except in Geneva. I was also told there formerly was a branch office in London but it has been closed. Presumably the *laissez-passer* will be issued as a rule by the organization in New York, but perhaps these documents may occasionally be issued by the office in Geneva.

Before discussing the points mentioned by Mr. Feller, especially with regard to paragraphs 1-4 on page 4 of his letter, it seems desirable to consider the nature of a passport and its relationship to the United Nations *laissez-passer*.

The term "passport" is defined by John Bassett Moore as follows:

"A passport is the accepted international evidence of nationality. In its usual form, it certifies that the person described in it is a citizen

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<sup>1</sup> Dr. Hanna Saba, Director of the Division of Privileges and Immunities and Registration of Treaties, in the Legal Department of the Secretariat of the United Nations.

or subject of the country by whose authority it is issued, and requests for him permission to come and go, as well as lawful aid and protection." (III *Int. Law Dig.*, 856).

With regard to the nature and function of passports Moore quotes from a note of May 19, 1886 from Secretary Bayard to the Spanish Minister, in which the following passage appears:

"Passports are *prima facie* evidence of the individual's right as a citizen to the protection of the Government which issues them, and a special responsibility rests upon the Government that disregards such evidence." (III Moore, *Int. Law Dig.*, 859).

The United Nations *laissez-passer* is provided for in Article VII of the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly February 13, 1946. For convenient reference I quote this Article in full. It reads as follows:

#### "Article VII

##### "United Nations Laissez-Passer

"*Section 24.* The United Nations may issue United Nations *laissez-passer* to its officials. These *laissez-passer* shall be recognized and accepted as valid travel documents by the authorities of Members, taking into account the provisions of Section 25.

"*Section 25.* Applications for visas (where required) from the holders of United Nations *laissez-passer*, when accompanied by a certificate that they are travelling on the business of the United Nations, shall be dealt with as speedily as possible. In addition, such persons shall be granted facilities for speedy travel.

"*Section 26.* Similar facilities to those specified in Section 25 shall be accorded to experts and other persons who, though not the holders of United Nations *laissez-passer*, have a certificate that they are travelling on the business of the United Nations.

"*Section 27.* The Secretary-General, Assistant Secretaries-General and Directors travelling on United Nations *laissez-passer* on the business of the United Nations shall be granted the same facilities as are accorded to diplomatic envoys.

"*Section 28.* The provisions of this article may be applied to the comparable officials of specialized agencies if the agreements for relationship made under Article 63 of the Charter so provide."

I have been endeavoring (so far without success) to obtain a sample copy of the United Nations *laissez-passer*. However, I have been informed over the telephone that the principal part of it reads as follows:

"To all who shall see these Presents

"Greetings:

"You are requested to extend to the bearer the courtesies, facilities, privileges and immunities which pertain to his or her office and to facilitate by all suitable means the journey and mission on which he or she is engaged."



I am informed that a *laissez-passer* contains spaces for the name and personal description of the bearer and his photograph. I am informed that it contains no space for a statement of the bearer's nationality.

It is clear that the *laissez-passer* is not a passport, and that it does not call for the protection of the bearer by any government, and of course the United Nations itself cannot extend diplomatic protection (at least directly) to its officers or employees. As indicated in Article VII of the Convention on the Privileges and Immunities of the United Nations, the *laissez-passer* is a travel document designed to show the position of the bearer as an official of the United Nations and to expedite his travel. While members of the United Nations are undoubtedly under an obligation to give due respect to the *laissez-passer*, in accordance with the intent of Article VII of the Convention, they are not required to recognize it as taking the place of a national passport.

It will be noted that Section 25 of the Convention recognizes the right of states to require visas of holders of United Nations *laissez-passer*, although it does not state that the visas are to be placed on the *laissez-passer* themselves.

The right to require visas of holders of *laissez-passer* is also recognized by Section 13 of the United Nations Headquarters Agreement, which is embodied in the Joint Resolution of Congress of August 4, 1947 (Public Law 357-80th Congress). Section 13 provides that, when visas are required of persons referred to in Section 11, they shall be granted without charge and as promptly as possible. What is more important, it provides that the "Laws and regulations in force in the United States regarding the entry of aliens shall not be applied in such manner as to interfere with the privileges referred to in Section 11." Section 13 contains a similar provision concerning the laws of the United States governing residence of aliens and their deportation, requiring the approval of the Secretary of State for the latter.

As Section 11 of the Headquarters Agreement is of special importance, it will be quoted in full:

*"Section 11*

"The federal, state or local authorities of the United States shall not impose any impediments to transit to or from the headquarters district of (1) representatives of Members or officials of the United Nations, or of specialized agencies as defined in Article 57, paragraph 2, of the Charter, or the families of such representatives or officials, (2) experts performing missions for the United Nations or for such specialized agencies, (3) representatives of the press, or of radio, film or other information agencies, who have been accredited by the United Nations (or by such a specialized agency) in its discretion after consultation with the United States, (4) representatives of nongovernmental organizations recognized by the United Nations for the purpose of con-

sultation under Article 71 of the Charter, or (5) other persons invited to the headquarters district by the United Nations or by such specialized agency on official business. The appropriate American authorities shall afford any necessary protection to such persons while in transit to or from the headquarters district. This section does not apply to general interruptions of transportation which are to be dealt with as provided in Section 17, and does not impair the effectiveness of generally applicable laws and regulations as to the operation of means of transportation."

Senate Joint Resolution 136 "Authorizing the President to accept on behalf of the Government of the United States the Convention on the Privileges and Immunities of the United Nations",<sup>2</sup> which is understood to have passed the Senate and to be pending now before the House, sets forth in full the Convention on the Privileges and Immunities of the United Nations, mentioned above, and contains the following statement:

"Nothing in article VII of the said Convention with respect to *laissez-passer* shall be construed as in any way amending or modifying the existing or future provisions of United States law with respect to the requirement or issuance of passports or of other documents evidencing nationality of citizens or agents (*sic*), or the requirement that aliens visiting the United States obtain visas".

The word "agents" in the passage just quoted is evidently a misprint and should read "aliens". I spoke to Mr. Marcy about this point, and he agreed.

In the circular telegraphic instruction to diplomatic and consular officers of June 9, 1947,<sup>3</sup> referred to on page 1 of the annexed memorandum of October 30, 1947, prepared by Mr. Bryan,<sup>4</sup> they were directed not to visa any *laissez-passer* of the United Nations, and I am informed that this instruction is still in effect.

In my conversation of yesterday with Dr. Saba of the United Nations, he mentioned the provision of S.J. Res. 136, quoted above. I understood him to say that he was not inclined to favor the reservation in question. He made a statement to the effect that, if a passport should be required of a person representing the United Nations or having business with that organization in pursuance of Section 11 of the Headquarters Agreement, quoted above, the person's mission "would have to be agreeable to his own government", whereas the United Nations wishes "to make the operations of the United Nations

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<sup>2</sup> For text, see *Foreign Relations*, 1947, vol. 1, p. 48; for the legislative history of this resolution in the Senate, see Senate Report No. 559, 80th Cong., 1st sess.

<sup>3</sup> *Foreign Relations*, 1947, vol. 1, p. 40.

<sup>4</sup> Not printed; it was a memorandum from the Legal Adviser (Gross) to Mr. Charles Fahy, a former Legal Adviser of the Department of State, and at that time a member of the U.S. Delegation to the Second Regular Session of the General Assembly, then meeting in New York. (L/UNA Files, Folder "Privileges and Immunities")

independent of control by any government." However, I did not consider that I was called upon to discuss this question with Dr. Saba.

Reverting to Mr. Feller's letter, and with reference particularly to paragraphs 1-4 on page 4, I may say that I see no objection to the proposed procedure for keeping a "photostatic copy of each national passport upon which the *laissez-passer* was issued", but to my mind it is questionable whether that would be sufficient to satisfy the needs of this Government. It might be sufficient during the period of validity of the passport, but I am inclined to think that the bearer of the *laissez-passer* should always, when entering the United States, be provided with a passport which is still valid, since this would facilitate his deportation to the country of his nationality in case he should violate the conditions upon which he is admitted to the United States or should make himself objectionable, as, for example, by carrying on political propaganda in this country.

Incidentally, it may be remarked that paragraph 1 refers to "*laissez-passer* . . . issued at the seat of the United Nations or in the regional United Nations offices", although, as indicated above, there appears to be only one United Nations office outside of the United States, that is, the office in Geneva.

Cases may arise in which the bearer of a *laissez-passer* is unable to obtain a passport of the foreign state of which he is a national because he is not in favor with the government thereof or cannot because of his political views or connections. Cases may also arise in which the bearers of the *laissez-passer* are nationals of countries the governments of which are not recognized by the United States. In these cases it would seem that the proper course would be to require the alien in question to have the consular visa on a duplicate copy of the application. Such procedure has been in effect for years with regard to aliens of the classes mentioned visiting the United States temporarily for business or pleasure.

As to paragraph 2, it would seem that, if the aliens in question have been admitted to the United States for permanent residence, they should provide themselves with re-entry permits. Such documents may be obtained directly from the immigration staff at Ellis Island.

As to any aliens coming within the purview of paragraph 2 who have not been admitted to the United States for permanent residence, it is believed that they should be provided with passports of their governments or duplicate copies of visa applications, as indicated above, for use in reentering the United States. If the aliens in question are German nationals or Japanese persons of any foreign nationality, or if the aliens are departing from this country with the intention of entering Germany, Austria, Japan or Korea, it is understood that,



under the existing regulations, they should provide themselves with exit permits. Whether this requirement should be waived in behalf of those who are bearers of *laissez-passer* would seem to be a question of policy, for consideration by the Visa Division and other offices in the Department having to do with policy.

As to paragraph 3, the discussion above concerning paragraph 1 is believed to be pertinent. As indicated therein, it is believed that the aliens in question should provide themselves with duplicate visa applications, with consular visas affixed thereto.

Paragraph 4 relates to the documentation of citizens of the United States, and it is believed that such persons should be provided with passports of this Government when they travel abroad, since they may find it necessary to call upon this Government for diplomatic protection in foreign countries. The *laissez-passer*, as indicated above, is not a passport and does not in itself call for the protection of this Government to the bearer. Therefore, the issuance of such a document to a citizen of the United States would not seem to contravene the provisions of 22 U.S.C., sec. 211(a), which read as follows:

"The Secretary of State may grant and issue passports, and cause passports to be granted, issued, and verified in foreign countries by diplomatic representatives of the United States, and by such consul generals, consuls, or vice consuls when in charge, as the Secretary of State may designate, and by the chief or other executive officer of the insular possessions of the United States, under such rules as the President shall designate and prescribe for and on behalf of the United States, and no other person shall grant, issue, or verify such passports."

For the reasons indicated, Mr. Feller's suggestion concerning the use of the *laissez-passer* as a passport can hardly be followed. However, there is no apparent reason why the bearer of a *laissez-passer* who is a citizen of the United States should not also carry a passport of this Government. If such a person should be sent abroad on a very urgent mission, it would seem that he might obtain a passport of this Government directly from the passport agency in New York City. I understand that under the existing regulations ordinary passports may be obtained directly from the passport agency, without the necessity of first sending the written applications to the Department. It occurs to me that regulations might be made under which special passports, showing the official status of the bearers, might also be issued in New York in urgent cases. However, I believe that this would require an amendment of the regulations, a matter for consideration by the Passport Division. I may add that in the preparation of the above statement I have considered not only your memorandum of October 30, 1947, but also Mr. Knight's memoranda of October 7 and October 27, 1947.<sup>5</sup>

<sup>5</sup> Memoranda of October 7 and October 30, 1947, not printed; memorandum of October 27, 1947 not found in Department of State files.

501.AC/2-1948

*Memorandum by the Director of the Office of United Nations Affairs (Rusk) to the Deputy Director of the Office of United Nations Affairs (Sandifer)*

[WASHINGTON,] February 19, 1948.

The General Convention on the Privileges and Immunities of the United Nations, adopted during the First Session of the General Assembly, has not yet been acceded to by the United States of America. The procedure authorizing the President of the United States to sign the pact of accession passed through the Senate before its summer recess of 1947. However, the House of Representatives had no time to do the same, and the procedure is still pending before the House.

Mr. Lie<sup>1</sup> and Mr. Kerno would be very grateful if the accession of the United States could be effected as soon as possible. The Headquarters Agreement, signed on 26 June 1947 by Secretary of State Marshall and the Secretary-General of the United Nations, is, indeed, in some respect dependent on the General Convention. Moreover, the accession of the United States will certainly precipitate the accession of many other States.

As the activity of the United Nations is spreading over the whole world as a consequence of the creation of different committees of the General Assembly and the Security Council, it is evident that a fairly general acceptance of the General Convention has become very necessary.

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<sup>1</sup> Trygve Lie, Secretary-General of the United Nations.

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501.AC/3-348: Telegram

*The United States Representative at the United Nations (Austin) to the Secretary of State*

NEW YORK, March 3, 1948—11:20 p. m.

241. For Spruks,<sup>1</sup> S/S-PR, from Power.<sup>2</sup> Chinese Delegation has again, for at least fourth time, entered request for privileges and immunities under Headquarters Agreement for Ambassador Liu Chieh, TC representative. Without referring the matter to Washington, had previously informed Chinese delegate in writing and orally that Liu not eligible since he was Minister in Canada who was in New York only during TC sessions. Gave Department's position as requiring

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<sup>1</sup> Henry C. Spruks, Assistant Chief in charge of Operations, Division of Protocol.

<sup>2</sup> Thomas F. Power, Jr., Deputy Secretary-General of the United States Mission at the United Nations.

that a representative be in New York between sessions of his UN organ and actually establish residence in New York. Liu's family and residence in Ottawa.

Today Liu sent back a new theory and analogy, pointing out that Icelandic Minister to US is also Icelandic Minister to Canada and is fully accredited in both capitals and countries. Cited several similar cases in Central America. By analogy, therefore, Liu asks to be accredited at UN headquarters as well as Ottawa.

Pointed out to Chinese that legislative and negotiating history of Headquarters Agreement make clear that section 15 was intended to cover only small nuclear group of professional permanent delegation members. If those attending occasional sessions of councils were accredited on same basis, there would be no point to specification in Headquarters Agreement that only resident delegates and staff were to have privileges and immunities, nor to the provisions of general convention. Further pointed out that P.L. 291<sup>3</sup> gave Liu necessary protection for his official duties.

Chinese delegate requested that question be referred to Washington for official opinion. Suggest be authorized to reply essentially as above. Please instruct.<sup>4</sup> [Power.]

AUSTIN

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<sup>3</sup> The International Organizations Immunities Act, December 29, 1945, 59 Stat. 669.

<sup>4</sup> In telegram 112, March 5, 6 p. m., the Department approved the position taken by the Mission "since Section 15 clearly refers to resident personnel and no others since. . . ." (50.AC/3-348).

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501.AC/3-1248

*The Secretary-General of the United Nations (Lie) to the Secretary of State*

NEW YORK, 4 March 1948.

SIR: I have the honor to refer to the question of the accession of the United States of America to the Convention on the Privileges and Immunities of the United Nations.

You will no doubt recall that in Resolution 93 (I), adopted on 11 December 1946, the General Assembly, after emphasizing that it is essential for the efficient exercise of the functions of the Organization and the fulfilment of its purposes that the provisions of the Convention be brought into force in all Member States, laid particular stress on the importance of accession by the country in which the headquarters is located.



It is my understanding that a Joint Resolution authorizing the President of the United States to accede to the above-mentioned Convention was introduced in the last session of Congress, at the same time as ratification of the Headquarters Agreement was considered. However, the Convention on Privileges and Immunities was not acted upon in the House of Representatives, and only the Headquarters Agreement which is complementary to it was brought into effect.

In a letter sent by Mr. Charles Fahy, who was then Legal Adviser of the Department of State, to Dr. Ivan Kerno, Assistant Secretary-General in charge of the Legal Department, on 4 August 1947,<sup>1</sup> it was stated that final favorable consideration of such accession to the Convention could be expected "when the present Congress reconvenes in January 1948".

It has also been brought to my attention that at the time that the Convention was before the Congress, certain reservations were considered. The attention of the Department of State has already been drawn to the fact that these reservations, if maintained, would have very serious effects, particularly on the status of United Nations officials and on the financial position of the Organization.

I am sure that all aspects of this matter are being given due consideration, and I should appreciate any personal action that you would consider appropriate to speed the accession of the United States to the Convention on the Privileges and Immunities of the United Nations.

I have [etc.]

TRYGVE LIE

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<sup>1</sup> *Foreign Relations*, 1947, vol. 1, p. 47.

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501.AC/3-1248

*The Secretary of State to the United States Representative at the United Nations (Austin)*

No. 64

WASHINGTON, March 31, 1948.

The Secretary of State acknowledges the receipt of the despatch of March 12, 1948 from the United States Representative to the United Nations, transmitting a copy of a note from the Secretary General of the United Nations, dated March 4, 1948, concerning the proposed accession by the United States to the Convention on the Privileges and Immunities of the United Nations.

The Secretary of State suggests that, if the United States Representative perceives no objection, a reply be made to the Secretary-General along the following or similar lines:

"I appreciate receiving your letter of March 4, 1948 concerning the proposed accession by the United States to the Convention on the

Privileges and Immunities of the United Nations. As you point out, a joint resolution to authorize the President of the United States to accede to the Convention on the Privileges and Immunities of the United Nations was introduced in the 1947 session of Congress. This resolution was approved by the Senate during that session of Congress and is now pending in the House of Representatives.

"With respect to the question raised by you concerning reservations to the Convention being considered by the United States, I assure you that careful consideration is being given to the effect of these reservations with relation to the United Nations as well as the need for them.

"In view of the considerable number of pressing matters now pending in the Congress, final action on the resolution authorizing the approval of the Convention has been delayed. Every effort consistent with the various other obligations of this Government will be made to secure final action on the resolution by the Congress during the present session."

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USUN Files

*Memorandum by the Deputy Secretary-General of the United States  
Mission at the United Nations (Power)*<sup>1</sup>

[NEW YORK,] April 19, 1948.

IMPLEMENTATION OF HEADQUARTERS AGREEMENT IN RESPECT TO DIPLOMATIC PRIVILEGES AND IMMUNITIES AND ACCREDITATION OF PUBLIC INFORMATION PERSONNEL

The Headquarters Agreement between the United States and the United Nations, which came into force on November 21, 1947, presented novel legal and administrative problems for the United States in providing for the creation in New York of a Diplomatic Corps accredited to an international organization rather than the host country.

As was the case with the League of Nations in Geneva, the Diplomatic Corps at the United Nations is unusual in that there can be no provision for reciprocal treatment for United States officials, which is the usual basis in international comity on privileges and immunities.

The Charter, in Article 105, provides that representatives of Members of the United Nations should enjoy "such privileges and immunities as are necessary for the independent exercise of their functions in connection with the organization".

In the discussions of this article in San Francisco, there was general agreement that diplomatic privileges and immunities were anachronistic, and that all that was necessary was to provide protection

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<sup>1</sup> The USUN Files contain documentation in depth on the information described in this memorandum, in the central subject file at the Mission itself, particularly under the following headings: "IO: Privileges & Immunities: Correspondents", "IO: Privileges & Immunities: Delegations", and "IO: Privileges & Immunities: Headquarters". This memorandum is in the first named subject-file.



against interference with the official duties of the representatives. It was clearly the intention that diplomatic status should be conferred upon only a small group of permanent Delegates, and that the nature of the privileges and immunities should be narrowly restricted.

However, the permanent Delegations at Headquarters have been most anxious that their privileges and immunities should not be less than those ordinarily granted a Diplomatic Corps. The arrangements for diplomatic privileges and immunities had to await the coming into force of the Headquarters Agreement.

However, the United States had made provision for the limited and essential type of immunity foreseen in the Charter with the passage of Public Law 291, 79th Congress, on December 29, 1945. It provided that representatives of foreign governments to international organizations and members of their immediate families should enjoy the same privileges, exemptions, and immunities as are accorded to officers and employees of foreign governments in respect to regulations concerning entry into and departure from the United States, alien registration and fingerprinting, and the registration of foreign agents, and provided that they shall be immune from suit and legal process relating to acts performed by them in their official capacity except insofar as immunity may be waived by the foreign government concerned.

The Headquarters Agreement, which is enacted as Public Law 357, 80th Congress, provides (Section 15) that every person designated by a member as the principal resident representative to the United Nations with the rank of ambassador or minister plenipotentiary, and such resident Members of their staffs as may be agreed upon between the Secretary-General, the Government of the United States and the Government of the Member concerned, shall, whether residing inside or outside the Headquarters District, be entitled in the territory of the United States to the same privileges and immunities, subject to corresponding conditions and obligations, as are accorded to diplomatic envoys accredited to the United States.

Accordingly, the Department of State has, through the United States Mission, negotiated with the Secretary-General and other Delegations to establish a list of members of Delegations who are entitled to diplomatic privileges and immunities.<sup>2</sup> The criteria for inclusion on the list have been established without a supplementary formal agreement. The Assembly, in approving the Headquarters Agreement, had suggested to the United States and the Secretary-General that Ar-

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<sup>2</sup> There is a relevant documentation in the USUN Files on this phase of discussion between the Mission and the Department of State on what should be the criteria for establishing the United Nations diplomatic list, during which Ambassador Austin communicated with the Department's Chief of Protocol, Stanley Woodward. There is a very sparse documentation on this matter in the Department of State's central indexed file 501.AC.



ticle 16 of the General Convention on Privileges and Immunities of the United Nations might be used as a guide in deciding which members of the staffs should be included on the diplomatic list. Article 16 of the General Convention defines "representatives" to include all Delegates, Deputy Delegates, Advisers, Technical Experts, and Secretaries of Delegations.

With the General Convention and the provision for equality of treatment with the Diplomatic Corps in Washington as guides, the principle has been accepted that there should be accredited in New York only members of delegations with diplomatic rank or performing professional duties who would be included on the diplomatic list if serving in Washington; that is, persons down through the rank of Third Secretary, or its equivalent. A delegation member to qualify must be regularly resident in New York; not there just for a specific Council or Commission meeting. The list of members of United Nations delegations who are entitled to diplomatic privileges and immunities under the terms of the Headquarters Agreement now comprises 278 officers of 41 permanent delegations.<sup>3</sup>

Members of the immediate families of diplomatic personnel who are regularly resident with them are also entitled to privileges and immunities. Privileges and immunities are not extended to clerical or administrative members of the delegations, nor to domestics, chauffeurs or other members of the household staff. Such criteria result in a more restricted arrangement than that in Washington. With families, our list includes only 736 persons compared with the list of 1,550 in Washington. The Washington list includes about 750 officers of Embassies and Legations.

In requesting recognition, delegations submit names of their members whom they believe entitled to privileges and immunities to the Secretary-General who certifies their status to the Mission.

Members of delegations who are in New York temporarily, junior officers, other alien employees and their families do, however, enjoy

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<sup>3</sup> In a formal identic note sent on February 5, 1948 Ambassador Austin informed 32 permanent delegations to the United Nations of the United States action in formally establishing a list of resident representatives at the United Nations and certain members of their staffs whom the United States recognized "as entitled in the territory of the United States to the privileges and immunities of a diplomatic envoy under the terms of the Headquarters Agreement, Section 15 . . . ." The persons involved (211) were informed individually by letter by Ambassador Austin on February 17, 1948 of United States recognition of their diplomatic status under the Headquarters Agreement. This letter of recognition was accorded to all persons "who were recognized by the U.S. as entitled to diplomatic privileges and immunities and for whom the Mission had received full information as respects functions, families, home addresses, and photographs." (Memorandum for files, by USUN Deputy Secretary-General Power, February 17) Diplomatic privileges and immunities were extended also by the United States "to the members of the families of persons so recognized who are regularly resident with them" but did not extend to domestics or other members of the household staff (Austin letter, February 17). (USUN Files)

the limited type of privileges and immunities under Public Law 291-79th Congress.

The Headquarters Agreement provides that in the case of member governments which are not recognized by the United States privileges and immunities need be extended to their representatives and staffs only within the Headquarters District, at their residences and offices, and in transit between the district and such residences and offices, and in transit on official business to or from foreign countries.

At present the Byelorussian and Ukranian Delegations, which have recently been established in New York, are the only Delegations of Governments not recognized by the United States. However, the United States has extended to members of those two delegations privileges and immunities identical with those given to other delegations. It has been pointed out to the Secretary-General, however, that this act is a matter which may be revised by the United States, and was taken without prejudice to the right of the United States under the Headquarters Agreement.

Privileges and immunities in respect to federal laws and taxation were quickly established by the Federal government through administrative action. The legal authority for this already existed in the U.S. Code, Title 22, Sections 251-255 so that it was only necessary by administrative action to extend to UN delegations the same provisions applicable to the diplomatic corps in Washington.

The Headquarters Agreement, having treaty force under an Advisory Opinion of the Acting Attorney General, dated August 20, 1946,<sup>4</sup> is binding upon states and municipalities. It provides that the Federal Government will make the administrative arrangements with state and local authorities. Accordingly, the United States Mission has negotiated with New York State and local authorities. In all cases, it has been found that no new legislation was needed and that on the basis of opinions by the appropriate counsel that the question of privileges and immunities could be handled administratively. The Attorney General of the State of New York ruled on March 1, 1948, that New York should accord privileges and immunities from arrest and conviction for crimes and traffic infractions to members of delegations listed by the Department of State as entitled to diplomatic privileges and immunities under Public Law 357-80th Congress. The New York State Department of Taxation rendered a similar opinion in respect to taxation on February 10, 1948. The State of New Jersey Department of Taxation and Finance found similarly in respect to New

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<sup>4</sup> See bracketed note, *Foreign Relations*, 1946, vol. 1, p. 97. For text of the opinion, see letter from Attorney General McGranery to the Secretary of State, August 20, 1946, Department of State *Bulletin*, December 8, 1946, pp. 1068-1070.



Jersey State taxes on March 17, 1948. The Corporation Counsel of New York City made a similar ruling regarding city taxes as reported in a letter from the Deputy Mayor on March 22, 1948.

Members of delegations enjoying privileges and immunities are immune from all legal process, including traffic violations. In the event that they become involved in such process, the Head or Chargé d'Affaires of the delegation notifies the Mission. The Mission thereupon notifies the appropriate judicial authority of the status of the delegation member and arranges that the legal process be dropped.

In respect to summonses for traffic violations, arrangements have been made with the City, County and State Police to forestall the issuance of summonses, thereby making unnecessary an appeal to the Courts. However, a record of the incident is made and forwarded to the United Nations and the Mission. In case of flagrant violations of laws, the United States would take steps, in conjunction with the Secretary-General to declare the individual *persona non grata* and, if necessary, request his recall.

Delegation members are, of course, expected to observe all laws and regulations. We have specifically pointed out to them that New York State requires automobile operators to carry insurance against accidents involving personal injury since there was a lack of understanding of this regulation.

Members of Delegations are exempt from Federal personal income taxes on income received as salary from foreign Governments; all customs and import duties; the 20 per cent retail excise taxes on jewelry, furs, cosmetics, and luggage; taxes on telephone, telegraph, and cable charges, and transportation taxes. Exemption from manufacturers' excise taxes is possible only if the article is bought directly from the manufacturer.

We have also arranged exemption from the New York State income tax, gasoline tax, liquor taxes and fees on imports, auto registration and license fees; the City Sales Tax and the Hotel occupancy tax; and New Jersey liquor taxes.

To secure exemption on each transaction, the buyer must file an exemption form, except in the case of liquor imports, with the merchant. Appropriate forms have been worked out in numerous conferences with the Bureau of Internal Revenue, New York and New Jersey State, and New York City authorities.

In order that merchants would understand the system and that it would function smoothly, we have explained it to many retail trade associations, individual stores, petroleum distributing companies and others. We distribute our monthly diplomatic list to several hundred merchants as well as to federal, state and local officials.



501.AC/5-748

*The Director of the Office of United Nations Affairs (Rusk) to the  
Secretary of State*

WASHINGTON, May 5, 1948.

Subject: Exemption from Income Tax on Salaries of United States  
Nationals Employed by United Nations Secretariat

*The Problem*

In passing the joint resolution authorizing United States adherence to the Convention on Privileges and Immunities of the United Nations,<sup>1</sup> the Senate added a reservation to the effect that the provision for exemption from income tax on United Nations salaries should not apply to United States citizens.<sup>2</sup> The question is whether the Department should seek to prevent adoption of this reservation by the House.

*Discussion*

Although there are obvious objections to the creation of a group of tax exempt citizens, it will be difficult for the United Nations to recruit representative American citizens if their salaries are to be taxed when those of their foreign colleagues are exempt. Most other Members are opposed to continuing the present system whereby the United Nations reimburses its United States employees for income taxes on their salaries. At the last session of the general Assembly, a proposal to impose an additional assessment on the United States to cover these reimbursements was averted with some difficulty and embarrassment. Instead, the Assembly repeated its previous request for tax exemption, after discussions in which the United States representative pointed out that the Congress had not yet taken final action and virtually committed the Executive branch to seek reconsideration.<sup>3</sup>

When the Department originally submitted the Convention for Congressional authorization of accession, you expressed the hope by

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<sup>1</sup> For text of S.J. Res. 136, passed by the Senate on July 17, 1947, see *Foreign Relations*, 1947, vol. I, p. 48.

<sup>2</sup> S.J. Res. 136, authorizing the President to accept on behalf of the United States the General Convention on Privileges and Immunities of the United Nations, stated in pertinent part that "the United States reserves its position with respect to section 18 (b) [of the General Convention] regarding exemption from taxation on salaries and emoluments paid by the United Nations insofar as that section may apply to United States nationals . . . ."

<sup>3</sup> On November 4, 1947, in the Fifth Committee of the General Assembly, Mr. Stevenson declared in part: ". . . I can assure the Committee that the executive branch of the government will renew, and most emphatically, its recommendations that in this case American employees of the United Nations should be granted tax immunity . . . ." (memorandum, R. I. Kull of the Division of International Organization Affairs to D. V. Sandifer, Deputy Director of the Office of United Nations Affairs, March 1, 1948, File No. 501.AC/3-148); for text of Mr. Stevenson's complete remarks on this matter, see United Nations, *Official Records of the General Assembly, Second Session, Fifth Committee*, pp. 329-330.

letter of May 12 to the President pro tempore of the Senate and the Speaker of the House<sup>4</sup> (Tab A) that no reservation with respect to income tax would be attached, since it is the policy of the United States to carry out the recommendations of the General Assembly except where this would be inconsistent with overriding considerations affecting the vital interests of the United States.

In view of the action of the Senate in attaching the reservation and the above mentioned developments in the General Assembly, it would seem appropriate for the Secretary to urge the Chairman of the House Committee on Foreign Affairs not to impose a similar reservation. A letter to this effect is attached (Tab B).<sup>5</sup> It would be appropriate to transmit a copy of the letter to Senator Vandenberg as President pro tempore of the Senate (Tab C).<sup>6</sup> Senator Vandenberg has been keenly interested in this problem since it arose at the first part of the General Assembly's first session in London.

Ultimately, the best solution would seem to be exemption from income tax accompanied by a staff contributions plan, under which employees would make to the Organization itself an annual payment comparable to an income tax with similar exemptions and allowances for dependents. The General Assembly at its last session invited the Secretary-General to report on such a plan to the next session and requested that, meanwhile, all Members which have not yet provided income tax immunity should do so.

If, as appears likely, the House Committee is unwilling to eliminate the reservation, the next most desirable course would be to substitute a provision making the provisions of the Internal Revenue Code, with respect to credits for income taxes paid to foreign governments, applicable to payments made to a United Nations staff contributions scheme. It would appear preferable not to make this alternative suggestion unless the Committee acts unfavorably on the elimination of the reservation.

### *Recommendations*

(1) Signature of the attached letter to the Chairman of the House Committee on Foreign Affairs.

(2) Signature of the attached letter to Senator Vandenberg transmitting a copy of the letter to Mr. Eaton.

(3) That, if the Committee is unwilling to follow the suggestion of eliminating the Senate's reservation, the Department proposes substitution of a provision which would put payments to a United Nations staff contributions plan on the same basis as income tax payments to a foreign government.

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<sup>4</sup> May 12, 1947; see *Foreign Relations*, 1947, vol. I, p. 32.

<sup>5</sup> *Infra*.

<sup>6</sup> Not printed.

501.AC/5-748

*The Under Secretary of State (Lovett) to the Chairman of the Committee on Foreign Affairs, House of Representatives (Eaton)*

WASHINGTON, May 7, 1948.

DEAR MR. EATON: In connection with the consideration by your Committee of S. J. Res. 136, authorizing the President to accept on behalf of the Government of the United States the Convention on Privileges and Immunities of the United Nations, I would like to express once again the hope that the Committee will give the most careful consideration to the desirability of approving the pending resolution<sup>1</sup> without the reservation now attached thereto by the Senate with respect to income tax immunity. You will recall that Section 18(b) of the Convention provides that officials of the United Nations shall be exempt from taxation on the salaries and emoluments paid to them by the United Nations, and that the Senate, in approving the joint resolution, amended it to withhold the application of this Section from United States nationals.

I fully appreciate the reluctance of the Senate to relieve any group enjoying the benefits of United States citizenship from the obligation to contribute to the financial support of their Government. At the same time, there are in my opinion certain compelling reasons for not including in the Senate Joint Resolution a reservation of the type in question.

1. At two consecutive regular sessions, the General Assembly of the United Nations (the United States abstaining) has unanimously requested all Members to provide such tax exemption in order to ensure equality of tax treatment among the staff in a manner which is equitable among Members. Since it is the policy of the United States to give its full support to the United Nations, it is believed that this Government should comply with such requests of the General Assembly whenever it can do so without prejudice to the vital interests of the United States.

2. Only two other states—New Zealand and Canada—have made such a reservation. Eighteen Members, including the United Kingdom and France, have acceded to the Convention without reservation. Nationals of only two Members, United States and Canada, are presently subject to taxes on their income from the United Nations.

3. In order to afford equality of treatment to all members of the Secretariat staff, the General Assembly has in the past authorized the Secretary-General to reimburse employees for taxes which they have paid to their national governments on income received from the United Nations. The cost of such tax reimbursements to the United Nations is approximately \$500,000 annually, of which about \$450,000 repre-

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<sup>1</sup> This refers to the draft resolution accompanying the Secretary of State's letters of May 12, 1947, to the Speaker of the House and the President pro tempore of the Senate.



sents payments to United States nationals. This charge, of course, is drawn from the general budget and is apportioned among all Member States. Despite the dissatisfaction of many Members at having to contribute to taxes paid by United States nationals to the United States Government, the Assembly has agreed to continue the tax reimbursement system for one more year with a clear warning that it may be terminated after 1948.

4. When the situation is reviewed by the General Assembly next fall, there is likely to be a demand that Members who do not grant exemption to their nationals make supplemental contributions to the United Nations budget in order to meet the tax reimbursement payments. If this were done, the result would be to increase our share of the total United Nations budget and to set the stage for the doctrine that Members might be permitted to vary their contributions on the basis of the particular activities they might choose to support.

5. If, alternatively, the tax reimbursement plan is abandoned, United States nationals employed by the Secretariat would be earning a net salary substantially lower than their foreign colleagues. As a result, it would be difficult to recruit well-qualified American citizens.

6. The Department is convinced that the best ultimate solution to this difficult problem lies in the adoption of a staff contributions plan under which United Nations employees would make contributions from their salaries to the United Nations, based roughly on the income tax structure in the Member nation where the employee is situated (in most cases the United States). The effectiveness of such a scheme would depend on the willingness of Member nations which may not wish to grant tax exemption at least to amend provisions of their tax laws designed to avoid double taxation so as to allow a credit for contributions made under the scheme.

Approval by the Congress of the pending resolution without a reservation with respect to income taxes would create the best possible atmosphere in which to work out a satisfactory staff contributions plan avoiding the creation of a tax-privileged group. It would also reaffirm the willingness of the United States to co-operate fully in carrying out the declared policy of the General Assembly.

It is therefore the hope of the Department of State that the Congress will approve the pending resolution without reservation with respect to income tax. Officials of this Department will be glad to furnish further information on the subject at the convenience of the Committee.<sup>2</sup>

Faithfully yours,

ROBERT A. LOVETT

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<sup>2</sup>The Committee on Foreign Affairs of the House of Representatives took up the General Convention in the course of public and executive sessions held between May 4 and June 3 at the same time that it had pending on the legislative calendar a quantity of other proposals pertaining to United States-United Nations relations. Out of the deliberations came a "one-package" omnibus bill (H.R. 6802) which reduced the numerous proposals to five general headings and which included initially as "Part III" the substance of Senate-enacted (July 17, 1947) S.J. Res. 136 with its reservation with respect to income tax immunity. In reporting out the bill, the House Committee swept away the Senate reserva-

IO Files : Lot 53D291 (V), Box 53, "Passports & 9th Proviso"

*Memorandum by Mr. Calvin J. Nichols,<sup>1</sup> Executive Officer of the Office of United Nations Affairs, to Members of the Committee on United Nations Visa Problems<sup>2</sup>*

[WASHINGTON,] June 10, 1948.

Subject: Definition of United Nations "Headquarters District and its Immediate Vicinity".<sup>3</sup>

At the meeting this afternoon<sup>4</sup> GA will provide, for the convenience of the members of the committee, a map of the New York area. While the committee is, of course, free to consider any plans which might be suggested, several proposals which have been made in the past

tion and adopted the position recommended by the Department of State, thereby pointing the way for a possible acceptance by this Government of the proposed United Nations staff contributions plan. However, except for that part of the omnibus bill relating to a United States loan to the United Nations for the building of the United Nations headquarters facilities in New York (see editorial note, p. 28), H.R. 6802 was not acted upon by the House of Representatives before the expiry of the 80th Congress.

For relevant commentary and documentary references concerning the legislative history of H.R. 6802, see footnote 2, p. 21 and editorial note, p. 28.

<sup>1</sup> Mr. Nichols indicated in the heading to the memorandum that in this particular instance he was acting for Walter M. Kotschnig, Chief of the Division of International Organization Affairs.

<sup>2</sup> The Committee on United Nations Visa Problems functioned under terms of reference established on January 8, 1948:

"1. To examine and formulate recommendations regarding (a) action to be taken by the United States Government in implementation of Article IV of the Headquarters Agreement with the United Nations (as put into effect pursuant to Public Law 357, 80th Congress) to grant visas without charge and as promptly as possible to certain classes of persons coming to the United States in connection with the activities of the United Nations and specialized agencies; (b) similar action with respect to visas in the case of persons entitled to diplomatic privileges under Article V of the Agreement, and (c) the development of procedures required to ensure effective implementation.

"2. To expedite action on specific cases arising under Articles IV and V of the Agreement."

The Visa Committee was composed of representatives of USUN and in the Department of State of officers from the Office of Special Political Affairs (SPA) (subsequently the Office of United Nations Affairs), the Visa Division, the Special Assistant to the Secretary of State for Press Relations, the Office of the Legal Adviser, and the Division of Foreign Activity Correlation. (USUN Files, Central Subject File, "IO: Privileges & Immunities: Correspondents", UN Visa Committee Memorandum, January 8, 1948)

<sup>3</sup> The legislation authorizing the Headquarters Agreement required that the "immediate vicinity" be defined in a supplementary agreement between the United States and the United Nations (Annex 1 to Public Law 357, August 4, 1947, 61 Stat. (pt. 4) 3435).

<sup>4</sup> Minutes of the meeting are printed, *infra*.

have been entered in ink on the face of the map. These proposals, referred to in my memorandum of June 1, are described below:

1. Approximate 100 mile area (described on the map by solid, black line) would include:

New York City;  
 All of Long Island;  
 New Haven and Litchfield Counties, Connecticut;  
 Dutchess County, New York, to the Hudson River;  
 Along the Hudson River to Kingston, New York;  
 From Kingston along US #209 to Port Jervis through New Jersey, to Philadelphia;  
 Through Philadelphia along US #30 to Atlantic City.

2. An approximate 100 mile area bounded entirely by county lines (described on the map in a solid, green line) would include:

New York City;  
 All of Long Island;  
 Putnam, Westchester, Dutchess, Rockland, Orange, and Ulster Counties in New York State;  
 Fairfield, New Haven, and Litchfield Counties in Connecticut;  
 All of New Jersey except Gloucester, Salem, Cumberland, and Cape May Counties; and perhaps the City of Philadelphia.

3. An approximate 50 mile area (described on the map in a dotted line) would include:

New York City;  
 Long Island, from Patchogue to Port Jefferson on New York State Highway #112;  
 Along the Housatonic River bordering on Fairfield County to Candlewood Lake, Connecticut;  
 From Candlewood Lake through Putnam County, New York to the Hudson River;  
 Across the Hudson River to include all of Rockland County, Passaic County through Lake Hopatcong, to Notcong, south of Lake Hopatcong;  
 Along New Jersey State Highway #31 and US #206 to Somerville, New Jersey;  
 From Somerville along Raritan River to include Perth Amboy and Staten Island.

4. A small area extending in some directions approximately 50 miles, bounded entirely by county lines (described on the map by a broken line) would include:

All of New York City;  
 Nassau County in Long Island;  
 Rockland and Westchester Counties in New York State;  
 Hudson, Union, Essex, Passaic, and Bergen Counties in New Jersey;  
 And Fairfield County in Connecticut.

5. A minimum area (described on the map by an alternating dot and dash line) would include:



New York City;  
 Long Island limited by the Bay Shore to Northport Road;  
 From Norwalk along US #7 to Branchville, Connecticut;  
 From Branchville to Ridgefield on Connecticut State Highway  
 #102;  
 From Ridgefield to the Westchester County line on Connecticut  
 State Highway #35;  
 To include all of Westchester County; and Rockland County,  
 New York;  
 To include all of Bergen County and Essex County, New Jersey,  
 plus Elizabeth and Staten Island.

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IO Files : Lot 55D323, Box 18515, "Privileges and Immunities"

*Minutes of Meeting of the Committee on Visa Problems*

CONFIDENTIAL

[WASHINGTON,] June 10, 1948.

Subject: Minutes of Meeting of the Committee on UN Visa Problems.

Participants: Mr. Alexander—VD <sup>1</sup>  
 Mr. Andrews—Department of Justice  
 Mr. Devaney—Department of Justice  
 Mr. Drury—FC <sup>2</sup>  
 Mr. Harlow—VD <sup>3</sup>  
 Mr. Henkin—UNI <sup>4</sup>  
 Mr. McDermott—SA/M <sup>5</sup>  
 Mr. Meeker—Le/P <sup>6</sup>  
 Mr. Mokma—CON <sup>7</sup>

The meeting was called to decide upon a definition of the UN "Headquarters District and its Immediate Vicinity" as related to the problem of individuals attending the UN who would otherwise be considered as inadmissible aliens.

Mr. Henkin discussed the five suggested areas and possible delimitation by county lines or by a highway-river-county line combination. Mr. Devaney stated that in his view the size of the area might depend on the legal question of the authority of the Attorney General to control the movements of UN personnel into and within that area. Mr. Henkin indicated that while these questions are of course related, the legal question was under consideration by the Policy Committee on Immigration and Naturalization and that it did not seem appro-

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<sup>1</sup> Robert C. Alexander, Assistant Chief of the Visa Division.

<sup>2</sup> Louis M. Drury, Assistant Chief of the Division of Foreign Activity Correlation.

<sup>3</sup> William M. Harlow of the Visa Division.

<sup>4</sup> Louis Henkin of the Division of International Administration.

<sup>5</sup> Michael J. McDermott, Special Assistant to the Secretary of State for Press Relations.

<sup>6</sup> Leonard C. Meeker, Assistant to the Legal Adviser.

<sup>7</sup> Gerald A. Mokma of the Office of Controls.

priate for this Committee to consider the matter. While it might be helpful to postpone the delimitation of the area until the legal question was decided, Mr. Alexander in particular thought that the area should be settled as soon as possible.

Mr. Devaney said that a boundary defined by county lines would have the advantage of coinciding with the area of responsibility assigned to immigration enforcement officers. He stated further that while the problem of enforcement would be more difficult in a larger area, there would be also an increased number of violations if the area were not sufficiently liberal. Mr. Mokma thought that a flat radial distance would be easier to observe than a complicated system of outline which might appear clear on paper but in practice would be difficult to observe. The discussion continually recurred to the question whether within the "Headquarters District and its Immediate Vicinity" the Immigration Service might restrict the activities of individual correspondents, representatives of non-governmental organizations and other visitors who are Communists. In that case, Mr. Andrews suggested, if the number of cases involved were not too great each might feasibly be handled on an individual basis and the area of limitation would not be so important.

Returning to the question of area it was generally agreed that in view of the fact that the actual location of the UN site is already in a vital security area a narrow limitation would accomplish little. It was felt that the area should include reasonable communicating distance around New York City. Mr. Meeker thought that a reasonable area should provide adequate recreational facilities. It was his opinion, shared by Mr. Henkin, that Philadelphia and Atlantic City might be considered within the area. Other members of the meeting felt that "immediate vicinity" should not be construed so broadly as to lose its meaning and its purpose as a confined area. On the other hand Mr. Henkin said that so long as the limitation was not actually related to security the U.S. should be generous and should exert every effort to avoid making the area so restrictive as to interfere with the activities of the UN by discouraging individuals who might be limited from coming to the headquarters. Mr. McDermott pointed out that the position taken by the U.S. on the question of a restrictive area would be reflected in the treatment accorded our correspondents in "iron curtain" countries.

After much discussion, the members of the Committee approved a "reasonable communicating distance" of approximately 70 miles from New York City and agreed to include:

All of Long Island

The state of New Jersey as far south as and including Mercer and Monmouth Counties

Rockland, Orange, Dutchess, Putnam and Westchester Counties in New York

New Haven, Fairfield and Litchfield Counties in Connecticut

It was agreed to transmit this conclusion as a basis for negotiation by USUN of an agreement with the UN. The Committee understood, of course, that some changes in detail might be made as a result of those negotiations and that the area decided upon was an indication to USUN as to the views of the Department in this matter.

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501.AC/7-2148

*The Chairman of the Committee on Foreign Relations of the Senate  
(Vandenberg) to the Secretary of State*

[WASHINGTON,] July 21, 1948.

MY DEAR MR. SECRETARY: I am shocked to read the enclosed U.P. dispatch in last night's newspaper asserting that—

"The State Department has informed Congress that subversive agents in an alarming number have entered this country through the United Nations."

The dispatch further attributes to State Department officials the statement that—

"This Government is powerless to do anything about it."

Finally, a State Department official (Robert C. Alexander, Assistant Chief of the State Department's Visa Division, Security Unit) is quoted as saying that—

"These subversives include Moscow-trained terrorists, espionage agents, aliens who foment discord and others trained in undercover activities contrary to the peace and good order of this country."

I am sure you will join me in agreeing that if any such situation exists, it requires summary attention. I respectfully suggest that there can be no delay. This brings the "cold war" directly home to the internal United States. Still worse: if these quoted statements are true, it means that the very instrumentality (the United Nations) upon



which we depend for peace and security is a serious threat to the very protections which it is presumed to serve.

The situation as described in this U.P. dispatch is so unbelievable that I am not accepting it until it is officially confirmed. But I respectfully submit that confirmation or categorical denial is immediately imperative. The publication of this charge will do the United Nations incalculable harm in the United States. I do not need to wait for the reactions to know that it will produce a flood of angry and anxious protests from the country in general and from Congress in particular. Nothing could be better calculated to undermine the United Nations in American public opinion. If true, the situation is insufferable. If untrue, the charges are intolerable.

A Special Session of Congress starts next Monday.<sup>1</sup> Its agenda should include the U.N. Headquarters Loan. Favorable action on the loan will be seriously if not permanently jeopardized if the U.N. Headquarters in New York City is an unlimited port of entry for "Moscow-trained terrorists, espionage agents, aliens who foment discord and others trained in undercover activities contrary to the peace and good order of this country."

If this is *not* the fact,—(I certainly thought we had protected ourselves fully against any such hazard)—I should be able to say so with decisive finality at once. But if this is the fact the first legislation introduced in the Special Session next week should be an amendment to the U.S. Participating statute which will give the Government of the United States complete and unequivocal authority to stop any such subversive invasion. We have no right to control entry into the United Nations Headquarters. But we have every right and duty and obligation to control entry from the U.N. Headquarters into the United States.

I cannot overemphasize my feeling that this U.P. dispatch poses a question of imminent importance. I shall reach Washington next Sunday. I will greatly appreciate it if at least a preliminary memorandum on this subject may be waiting for me at the Wardman Park Hotel at that time. I regret to intrude upon your other desperately critical problems at the moment, but I see so much potential trouble flowing from this dispatch that I feel we owe it to our United Nations allegiance to clarify the situation without a moment's delay.

With sentiments of great respect, and with warm personal regards, I beg to remain

Cordially and faithfully,

A. H. VANDENBERG

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<sup>1</sup> In fact it was a reconvening of the Second Session of the 80th Congress, which had not adjourned *sine die* but only recessed on June 20, 1948. The prolongation of the Second Session began on July 26 and continued until August 7 when a second recess took effect. The 80th Congress was never again reconvened however.

501.AC/7-2148

*The Acting Secretary of State to the Chairman of the Committee on Foreign Relations of the Senate (Vandenberg)*

WASHINGTON, July 24, 1948.

DEAR SENATOR VANDENBERG: In the Secretary's absence from the Department today, I am sending you a preliminary report on the entry of aliens in connection with the United Nations, as requested in your letter of July 21, 1948.

We fully appreciate your reaction to the press reports of statements made by certain officers of this Department before staff members of the Senate Judiciary Subcommittee and agree that an immediate clarification is of the greatest importance. The Department of State is now conducting a thorough investigation of the allegations made and of all the circumstances surrounding the testimony.

As indicated in the Secretary's statement to the press on July 21 (Tab A), the Department does not believe, on the basis of our immediate and summary review, that our national security is endangered by the activities of persons entering this country in connection with the United Nations. The safeguards contained in the United Nations Charter, the Headquarters Agreement, and the International Organizations Immunities Act are fully adequate to protect the security of the United States against the abuse of such privileges and immunities.

The Charter of the United Nations provides in Article 105 that "the Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfillment of its purposes". The same article also provides that "Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization". Thus, the fundamental law of the Charter establishes the proper functioning of the United Nations as the test of privilege or immunity. Obviously, activities which are not a part of United Nations business and certainly such abuse of privilege as espionage or sabotage are in no sense protected by the Charter.

The International Organizations Immunities Act (Public Law 291, 79th Congress, Tab B) contains an important safeguard in Section 8(b) :

"(b) Should the Secretary of State determine that the continued presence in the United States of any person entitled to the benefits of this title is not desirable, he shall so inform the foreign government or international organization concerned, as the case may be, and after such person shall have had a reasonable length of time, to be determined by the Secretary of State, to depart from the United States, he shall cease to be entitled to such benefits."



The Headquarters Agreement between the United Nations and the United States (Tab C) provides in Sections 11 and 13 for the admission of persons who have business at the United Nations Headquarters. Such admission is based upon official business. Activities outside official business are expressly subject to the laws and regulations of the United States regarding the continued residence of aliens, and procedures are set forth for dealing with such situations. You will also note that Section 10 authorizes the United Nations itself to "expel or exclude persons from the headquarters district for violations of its regulations adopted under Section 8 or for other causes".

In Section 6 of Public Law 357<sup>1</sup> (Tab C) the United States explicitly reserved its right to safeguard its national security, which of course is an inherent right which the Headquarters Agreement was not intended to impair or abridge in any event. The provisions of Public Law 357 were specifically called to the attention of the United Nations in an exchange of notes between Senator Austin and the Secretary General<sup>2</sup> (Tab C).

The United States may deport persons who abuse the purposes for which they are admitted, may (if it sees fit) limit individuals to the United Nations Headquarters and its vicinity and may even refuse to admit a person in the first instance if we determine that the presence of such person here is inconsistent with our national security.

The Department has of course always been aware of the necessity for diligence in administering the procedural safeguards summarized in Tab D and at no time have facts been brought to our attention which disclose a threat to the security of the United States. Indeed, the security agencies of the government have not presented a single case of this nature to the Department of State for consultation with the Secretary General. Although of course some individuals have been admitted under the Headquarters Agreement and Public Law 291 to the United States for legitimate business with the United Nations and other international organizations, who would not normally be admitted under our immigration laws, no cases have been presented to the Department of State for action under Section 6 of Public Law 357.

As soon as our investigation of the allegations made this week can be completed, you will have a further report. In the meantime, there is attached (Tab D) a background statement regarding procedures controlling the admission of personnel on United Nations business.<sup>3</sup> If there are questions on specific points on which you would like an immediate answer we shall furnish the information promptly.

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<sup>1</sup> The joint resolution authorizing the President to accept the Headquarters Agreement.

<sup>2</sup> See the Legal Adviser's letter to the United Nations Assistant Secretary-General (Kerno), August 4, 1947, and Dr. Kerno's reply, August 27, 1947, *Foreign Relations*, 1947, vol. 1, pp. 47 and 51, respectively.

<sup>3</sup> Not attached to file copy.



We earnestly hope that persons hostile to the United Nations and to the broad lines of our bipartisan foreign policy will not succeed in any effort to use this unfortunate incident to injure the national interests. Specifically, we hope that the members of Congress will not divert from their broad support for the United Nations Headquarters loan and other necessary United Nations legislation.<sup>4</sup>

Sincerely yours,

ROBERT A. LOVETT

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<sup>4</sup>On September 2 the Secretary of State forwarded to Senator Vandenberg "the full report which we promised you . . ." (not found in Department of State files). In a covering letter, the Secretary said, after stating the above:

"After weeks of careful study, the Committee I appointed to investigate this matter has submitted its report. A copy is enclosed. The Committee confirms the tentative conclusions of Lovett's earlier letter to you and rejects the testimony before the Senate Subcommittee as unwarranted and entirely without foundation. The Committee concluded that 'there is adequate statutory authority to exclude from the United States persons whose presence here is inconsistent with our national security' (page 12), and that 'existing administrative procedures, and the legislation on which they are based are sufficient' to assure the exclusion of such individuals (pages 12-13).

"With respect to these administrative procedures, the Committee 'is not satisfied that the practices under the outline of procedures are satisfactorily coordinated' (page 14). The suggestions of the Committee in this respect are to be submitted to me in a supplementary memorandum which will receive my immediate attention. Our Mission in New York is currently engaged in discussions with UN officials in an effort to improve these procedures. We are receiving full cooperation from them and have already made progress." (501.AC/9-248)

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IO Files : SD/A/C.6/62

*Position Paper Prepared in the Department of State for the United States Delegation to the Third Regular Session of the General Assembly of the United Nations*

CONFIDENTIAL

[WASHINGTON,] August 27, 1948.

## IMPLEMENTATION OF THE HEADQUARTERS AGREEMENT REPORT OF THE SECRETARY-GENERAL

### THE PROBLEM

The Secretary-General is submitting a report on the implementation of the Headquarters Agreement between the United States and the United Nations. Should the United States concur in approving the report?

### RECOMMENDATION

Insofar as one can anticipate what will be included in the report of the Secretary-General it is recommended that the United States delegation concur in approving the report.

### COMMENT

The report of the Secretary-General on the implementation of the Headquarters Agreement will apparently not issue in time to permit

its examination prior to the General Assembly session.<sup>1</sup> Judging from the section on the Headquarters Agreement which is contained in the Annual Report of the Secretary-General, the report on the Headquarters Agreement will be largely expository and will contain only commendation for the manner in which the United States has cooperated in the implementation of the Agreement. The report will, therefore, probably deserve the full approval of the United States.

Possible attacks on the United States with respect to matters arising out of the implementation of the Agreement are not unlikely. The character which such attacks are likely to assume and the replies which our delegation should make are set forth in the attached paper.

#### Annex A

#### DISCUSSION

##### *The Headquarters Agreement*

After careful and extensive negotiations, the "Agreement between the United Nations and the United States of America regarding the headquarters of the United Nations" was signed by the Secretary of State and the Secretary-General of the UN on June 26, 1947. In a Joint Resolution (P.L. 357, 80th Congress), signed by the President of the United States on August 4, 1947, Congress approved the Agreement (with the reservations noted in Section 6 of the Resolution) and authorized the President to bring the Agreement into effect. The Agreement was brought into effect on November 21, 1947 by an exchange of notes between the U.S. Representative to the United Nations and the Secretary-General.

By an interim agreement negotiated pursuant to the authority of Section 20 of the Headquarters Agreement and Section 5 of P.L. 357, 80th Congress, and signed by Representative Austin and Secretary-General Lie on December 18, 1947, the relevant provisions of the Headquarters Agreement were made applicable to the temporary headquarters of the United Nations at Lake Success and Flushing Meadows, New York, and such other land and buildings occupied by the United Nations as may be defined from time to time by agreement between the United Nations and the United States of America, after consultation with the proper state and local authorities.

#### IMPLEMENTATION

[Here follow brief references to Sections 4 and 6 of the Headquarters Agreement, concerning conditions for the establishment of

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<sup>1</sup> It was issued on September 8, 1948 as United Nations document A/627.

radio facilities and a postal service at the United Nations, and regarding which separate position papers had been prepared, not printed.]

*Sections 11-14 (Transit to and from the headquarters)*

*a. Entry into the United States*

Section 11 provides that the federal, state and local authorities of the United States shall not impose any impediments to the transit to and from the headquarters district of five categories of individuals who come to the United States in connection with UN activities. Section 13 adds that laws and regulations in force in the United States regarding the entry of aliens shall not be applied in such a manner as to interfere with the privileges granted by Section 11. When visas are required they shall be granted without charge and as promptly as possible.

These sections are in daily operation. Individuals coming to the United Nations headquarters are issued visas promptly and free of charge. The United States Government has been alert to take the action necessary to prevent delays. Detailed procedures for facilitating and expediting the travel of individuals connected with the UN have been developed in cooperation with the UN Secretariat and have been operating very effectively. Delays have been rare, far less than might have been expected in view of the many cases handled by scattered consulates abroad.

It may be expected that the United States will be attacked for delay in the issuance of visas in the following cases:

(1) The representatives to the Human Rights Commission of the Ukrainian and Byelorussian Governments experienced a delay in getting a visa because they refused to fill out the application questionnaire required of all Soviet citizens coming to the United States. The questionnaire was substantially identical to that required of United States officials who travel to Russia. The delay evoked protests from the governments involved, and subjected the United States to attack at the sessions of the Human Rights Commission. It is the position of the United States that the delay was largely due to the refusal by the delegates to fill out a reasonable questionnaire. In any event the delegates received their visas, and the controversy over the questionnaire has been the subject of negotiations between the United States and the Soviet Government. There have been no similar delays in the months that have elapsed since that incident.

(2) The Polish representative to the committee might raise the question of Mieczyslaw Wionczek, formerly in the United States as an official of the Polish Government, who was accredited as a correspondent to the United Nations. In that case, while the Department was



prepared to issue him a visa valid only for the headquarters district and its immediate vicinity, an unlimited visa could be issued only with the authorization of the Attorney General, since, apart from the Headquarters Agreement, the individual was inadmissible under the immigration laws. The time consumed in seeking such authorization accounts in large measure for the delay. Wionczek finally agreed to return to the United States again as an official of the Polish Government, on a diplomatic visa which was promptly issued. Had the individual been willing to accept this visa in the first instance, there would have been no delay at all.

(3) The Belgian Delegation and the United Nations Secretariat have informally protested the delay of many months in issuing a 3(7) visa to Serge Wojewodski, a stateless person of Russian origin, the husband of a member of the United Nations Secretariat who is a Belgian national. At this writing, the visa has not yet been issued.

The United States Embassy in Brussels has indicated that in February, when Wojewodski applied for a visa, he was asked for background information, particularly as to his activities in Germany where he had been residing from 1922 to 1947. According to the Embassy, that question apparently embarrassed the applicant and he stated that he did not care to press his application. Later he returned, but it was not until June 18 that he submitted a partial statement as to his sojourn in Germany. Subsequent investigation of intelligence sources in Germany revealed that he had "worked for the Nazis as a radio monitor from 1940-1945 making 450 RM monthly. Only reason did not join NSDAP [Nazi Party] was he was not permitted to although subject felt they were right in their beliefs".

This information has been made available informally to the United Nations and it may be that the United Nations will not press the case, and thus avoid embarrassment for all concerned. Under a resolution of the General Assembly, Nazis may not be employed by the Secretariat, but assuming that Wojewodski was a Nazi, there is no evidence that his wife was. Nevertheless, the United Nations may not wish to insist on the admission to the United States of a former Nazi. If the United Nations should press the case, the fact that the individual is a Nazi is not an adequate basis under the Headquarters Agreement for refusing a visa to a member of the family of a United Nations official. (On the evidence available it probably could not be said that his exclusion is necessary to safeguard the security of the United States within the meaning of Section 6 of Public Law 357. The case is further complicated by the fact that Mrs. Wojewodski, a Secretariat employee, has applied for a change of her status to that of an immigrant. It is feared that if Wojewodski is permitted to come here as a 3(7) non-immigrant and his wife then achieves immigrant status, the United

States will, as a practical matter, have the husband on its hands permanently. If she should achieve immigrant status before the husband gets here, there will arise an interesting question as to whether a resident of the United States employed by the Secretariat is entitled to bring her husband into the United States on a 3(7) visa.)

If the case comes up for discussion the United States Delegation should explain that most of the delay was due to the failure of the applicant to fill out a reasonable visa application and supply pertinent information which the United States is entitled to ask in view of Section 6 of Public Law 357 which reserves to the United States the right to take steps to safeguard its security. When Wojewodski's *curriculum vitae* proved incomplete it was reasonable in the circumstances to take time to investigate further. Finally, the United States Delegation should note that the rights accorded by Section 11 of the Headquarters Agreement are conferred on the United Nations. If the United Nations decides not to press its request for a visa in a particular case, no one else has standing to complain. If the United Nations, on the basis of the facts known, decides that it wishes to insist on Wojewodski's entry, the United States will, of course, live up to its obligations under the Headquarters Agreement.

*b. Accreditation of Press Representatives*

Section 11(3) provides for transit to or from the headquarters district of "representatives of the press, or radio, film or other information agencies, who have been accredited by the United Nations (or by such a specialized agency) in its discretion after consultation with the United States." On January 12, 1948 officials of the Secretariat met with representatives of the United States Government to evolve a procedure for this consultation. Under this procedure applications for accreditation are transmitted by the Secretariat to the Mission in New York which forwards copies to appropriate offices of the Department. The comments of the Department with regard to the accreditation are communicated to the Secretariat through the Mission within 14 days. (The details of the consultation procedure are set forth in the background papers attached).<sup>2</sup> The procedure has operated smoothly and effectively, and to date more than 230 applications have been the subject of consultation between the United Nations and the United States.

A question has arisen from the desire of the United Nations to accredit as representatives of "other information agencies" individuals who represent non-governmental organizations. It is the view of the Department that, read in their context, the words "other information agencies" refer to "agencies" in the nature of newspapers, radio, tele-

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<sup>2</sup> Not attached.

vision, etc., but a non-governmental organization as such would not qualify. To merit accreditation under the Headquarters Agreement, a representative of an organization would have to show that he represents a publication regularly issued by the organization, and devoting a substantial amount of coverage to UN activities. At this writing, the question has not been settled, and will probably be the subject of discussion between Secretariat officials and representatives of the Department in the near future.

*c. Travel by American Nationals on UN Business*

It is not unlikely that the United States will be attacked for delaying or refusing passports to American nationals employed by the Secretariat who were ordered abroad on official business.

Even apart from the Headquarters Agreement, it is clear that the Charter of the United Nations obligates the United States not to impede the travel abroad on official business of Secretariat officials. The obligation of the United States, however, is to permit the travel of such individuals. It is not obliged to issue to all such individuals the protection of an American passport. Under existing law the Department may waive the requirement of a passport, and permit the individual to leave the United States and to return without such documentation. The country of destination, under the Charter of the United Nations, would also be required to admit the Secretariat official whether or not he had an American passport. If the individual is traveling to a country which is not a Member of the United Nations, it is still probable that he would be admitted without an American passport, especially if the United Nations issues him a *Laissez-Passer*. (Since the United States will have waived the requirement of a passport for re-entry into the United States, there is no danger that if that country admits the individual, it will later be unable to send him back to the United States.) Moreover, it may well be argued that the obligations of the United States are met when it permits the individual to leave; any obstacles to travel which he might meet because he had no passport would be imposed not by this country but by those to which he must travel. In any event, there would have to be a positive showing that without such passport the individual can not perform his official duties, before the United States might be required to issue him one.

The United States Delegation might point out that while one such official (Ursula Wassermann) was refused a passport, she was permitted to travel on a United Nations *Laissez-Passer*. The refusal of the United States to accord her the protection of a national passport did not impinge on her status as an international civil servant and in no way interfered with the operations of the United Nations.



In view of the admitted obligation under the Charter, it has not been necessary to discuss the question of travel with reference to the Headquarters Agreement. The requirements of the Agreement might become crucial, however, if the Department should refuse to permit the travel of individuals who do not come within the Charter provisions. Thus, for example, American correspondents accredited to the United Nations, or representatives of American non-governmental organizations, may, in individual instances, be unable to obtain a passport to go abroad. Whether the United States must allow them, for example, to travel to Paris for the General Assembly would depend on whether they are covered by Section 11 of the Headquarters Agreement. There is uncertainty and disagreement as to whether the Agreement, and particularly Section 11, was intended to apply to American nationals. (Ultimately, if the United States and the United Nations disagree on this question, it may have to be submitted for arbitration pursuant to Section 21 of the Agreement.) For present purposes, it is hoped that the question will not arise and that, whether as a matter of legal obligation or Departmental policy, all individuals in these categories will be permitted to travel to the General Assembly. (The Legal Adviser has recently recommended that, in order to avoid the difficult legal question, the Department should generally permit American correspondents accredited by the United Nations to go to the General Assembly in Paris.)

#### *Section 15*

By this Section, the United States granted full diplomatic privileges, subject to corresponding conditions and obligations, to every person designated by a Member as its principal resident representative to the United Nations or as a resident representative with the rank of Ambassador or minister plenipotentiary, and such resident members of their staffs as may be agreed upon between the Secretary General, the Government of the United States and the Government of the Member concerned. In implementation of this Section, procedures have been developed whereby the Secretary General receives lists of the persons covered and transmits them to the United States. Individuals accepted by the United States for listing received, under arrangements made with the appropriate American authorities, exemptions from certain excise taxes (e.g. luxuries, telegraph, cable, telephone and radio communications, transportation, insurance, etc.) as well as taxes on gasoline, hotel taxes, sales taxes, and certain customs duties. The cooperation of American authorities in this respect has been excellent, and will undoubtedly be the subject of commendation in the Secretary General's report.

Problems are, however, arising under Section 15, some of which may possibly be raised at the sessions of the Sixth Committee. At this writing, the Department may be about to refuse diplomatic privileges to two individuals presented for listing by Member governments. Diego Suarez Costa was appointed Counselor of the Colombian Delegation, but the Protocol Division of the Department has refused to list him because the alien has been a resident of the United States for many years, and in the opinion of the Protocol Division he does not possess the necessary qualifications, does not in fact do the work of a member of the Delegation, and is not, therefore, a bona fide appointee. Similar action is contemplated in the case of Julio Pocatererra who has been Consul General of Venezuela in New York and was also added as Minister ad honorem of the Venezuelan Delegation. The Protocol Division has indicated that it would be willing to list the individual only if he ceased to be Consul General and became an active rather than an ad honorem member of the delegation.

These cases may raise claims that the United States is not living up to Section 15. That Section, however, requires privileges and immunities only for "such resident members of their staffs as may be agreed upon by the Secretary General, the Government of the United States and the government of the Member concerned." While that may mean primarily "agreement" as to the categories or classifications of individuals entitled to privileges and immunities, the language of the Section might also seem to permit the United States to refuse to agree to the listing of a particular member of the staff. In any event, it is always free to challenge the bona fides of a claim to privileges, and that will be the basis of our action if the United States actually refuses to list either of these individuals.

*Section 6 of the Joint Resolution (Public Law 357, 80th Congress) <sup>3</sup>*

Section 6 of the Joint Resolution approving the Headquarters Agreement provides:

"Nothing in the agreement shall be construed as in any way diminishing, abridging, or weakening the right of the United States to safeguard its own security and completely to control the entrance of aliens into any territory of the United States other than the headquarters district and its immediate vicinity, as to be defined and fixed in a supplementary agreement between the Government of the United States and the United Nations in pursuance of Section 13(3) (e) [*sic*] <sup>4</sup> of the agreement, and such areas as it is reasonably necessary to traverse in transit between the same and foreign countries . . ."

<sup>3</sup> The reference is to section 6 of Section 2 of Annex 2 of the Headquarters Agreement itself (61 Stat. 767).

<sup>4</sup> Brackets are in the source text; this should read "Section 13(e)"; the error is in the text of the joint resolution itself.



In the exchange of notes which brought the Agreement into effect, Representative Austin specifically stated that the United States approved the Agreement subject to the provisions of Public Law 357. At sessions of the Sixth Committee, Mr. Fahy, the former Legal Adviser, made it clear that Section 6 must be considered as part of the Agreement, that the Headquarters Agreement was approved by Congress only subject to the reservation in Section 6, and that if this section is not accepted, the Agreement is not in effect. Nevertheless the United Nations has carefully avoided giving recognition to Section 6, and the matter will undoubtedly be the subject of continued controversy. The position of the United States Delegation, however, is clear. The requirements of Section 6 apply to the entire Agreement and must be given recognition accordingly.

(a) *The "headquarters district and its immediate vicinity".*

A current problem related to Section 6 has been the subject of preliminary negotiation between the United States and the United Nations. Section 13(e) recognizes the right of the United States to limit individuals to the headquarters district and "its immediate vicinity". Section 6 of the Joint Resolution [*sic*] approving the Headquarters Agreement specifies that "the Headquarters District and its immediate vicinity" is to be "defined and fixed in a supplementary agreement between the Government of the United States and the United Nations."

Exploratory discussions between USUN and Secretariat officials indicate a reluctance by the United Nations to enter into such a supplemental agreement. In part, that reluctance is based on a refusal to take action which would indicate a recognition of the Section 6 reservation. In addition, while the United Nations consented to the provision in Section 13(e) recognizing the right of the United States to impose the limitation, the United Nations is not anxious to be a party to such limitations or to participate in any way in imposing them. The Secretariat is particularly unwilling to appear to approve the imposition of such restrictions before the United States adheres to the General Convention. Secretariat officials point out that, as provided in the Headquarters Agreement, the Agreement and the General Convention were intended to be read together as complementary instructions. When in 1947 Congress failed to complete action on the General Convention, the United Nations accepted the Headquarters Agreement alone because of its importance for immediate operation and because it was expected that Congress would ratify the Convention shortly thereafter. In fact, however, the Agreement read by itself does not give a full picture of the rights and status of the United Nations. Specifically, it is the opinion of the Secretariat that the General Convention, by providing for immunity "from immigration restrictions",



would prevent the United States from limiting to the headquarters district and its immediate vicinity members of delegations and Secretariat officials. Until the United States, by adhering to the Convention, agrees not to impose these limitations on individuals in these categories, the United Nations considers it premature to enter into the supplemental agreement to define the area.

It may be that the Secretariat fears that the negotiation of the supplemental agreement is a prelude to steps by the United States towards confining many individuals, including Secretariat officials, to this area. Such fears stem perhaps from the unhappy fuss resulting from unfortunate and unwarranted statements by certain officers of the Visa Division before a Senate sub-committee to the effect that the United Nations is being used as a cloak for hundreds of subversives. (See the final section of this paper.) In fact, however, even apart from the General Convention, under existing law their fears are unfounded. It is true that under the Headquarters Agreement, apparently, only members of delegations entitled to diplomatic privileges under Section 15 could not be confined to the limited area. However, the International Organizations Immunities Act, Public Law 291, 79th Congress, provides that with regard to the laws regulating entry into and departure from the United States, Member representatives to international organizations and officers and employees of such organizations shall be treated like officers and employees of foreign governments. The Department has been acting on the assumption that this provision would prevent the imposition of limitations to the headquarters district and vicinity on individuals covered by the Immunities Act.

In view of the attitude of the United Nations in this matter, the Department will probably proceed to define the area unilaterally, so that limitations may be imposed, if necessary, pending ratification by Congress of the General Convention and the subsequent negotiation of the supplemental agreement. Officials of the Secretariat are aware, of course, that since there will be no such agreement in effect when Congress considers the General Convention, it is not unlikely that Congress might itself wish to determine what area shall be included as the "headquarters district and immediate vicinity". Since the question has been raised, Congress may also see fit to note that nothing in the Convention shall abridge the right of the United States to limit to this area all categories of individuals including Secretariat officials.

These considerations and speculations are set forth for the information of the Delegation. It is hoped that the question of limitations to the headquarters area will not arise at the General Assembly, and indeed it is to avoid that possibility that the Department has not formally raised the question with the Secretariat after informal discus-

sions disclosed that no agreement would be forthcoming. If the question should arise, however, the delegation should indicate that the United States may find it necessary to define the area tentatively, pending a supplemental agreement. The delegation may assure the United Nations that there is no present intention to begin limiting large numbers of individuals to this area, that under our existing law it is not likely that Secretariat officials and members of the delegations would be so limited, and that there is no present intention on the part of the Government of the United States to seek modification of the law in this respect. The delegation should be careful, however, to avoid committing the United States to the view that the General Convention would prevent the United States from limiting Secretariat officials to this area.

*(b) The Security of the United States.*

Section 6 quoted above provides that nothing in the Agreement shall be construed as in any way abridging the right of the United States to safeguard its own security. To date there has been no occasion for the United States to invoke this provision. No attempt has been made to exclude or deport any individual connected with the United Nations, or to take any other steps which might affect the operations of the United Nations.

Related to this section is the recent stir caused by the testimony of two officers of the Visa Division before a Senate sub-committee, in which they alleged that hundreds of subversives are in the United States because of some connection with the United Nations. This testimony received widespread publicity, and caused considerable resentment among the members of the United Nations Secretariat. It also gained attention in the newspapers of Eastern European countries, and it may be expected, therefore, that the question might arise in some way at the next session of the Assembly.

The United States Delegation should point out that the testimony of the Visa Division officers did not represent an official view of any part of the Department; that it was immediately repudiated in statements to the press by the Secretary of State; that it was denied by testimony before the same sub-committee by the Chief of the Visa Division, as well as by ranking officers of the Department; [that the matter was finally buried by an unequivocal report by three citizens who were called in by the Secretary of State to make a thorough investigation of the matter.] <sup>5</sup>

The United States Delegation might point out that while the incident was unfortunate, it has resulted in clearing the air and removing suspicions and misapprehensions on the part of some people in the

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<sup>5</sup> Brackets appear in the source text.

United States. Also, the Delegation should note that the United States is a democratic country which must allow the free expression of individual opinions, and which provides for appropriate Congressional investigation of governmental operations as a basis for intelligent legislation. It should also be emphasized that the entire incident was a local and internal affair within the United States Government, and that the United Nations and its members must not allow themselves to be disturbed by what might be said about the United Nations by individual American citizens. Nothing that was said or done in connection with this incident in any way interfered with the operations of the United Nations, and the attitude of the United States Government in the handling of the entire affair reaffirms the full intentions of this Government to fulfill in every way its obligations under the Charter and the Headquarters Agreement.

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IO Files : SD/A/C.6/63

*Comment Paper Prepared in the Department of State for the United States Delegation to the General Assembly*

[WASHINGTON,] August 27, 1948.

ACCESSIONS TO AND STATUS OF THE GENERAL CONVENTION ON PRIVILEGES  
AND IMMUNITIES OF THE UNITED NATIONS

REPORT OF THE SECRETARY-GENERAL

THE PROBLEM

The Secretary-General is submitting a report on the accessions to and the status of the General Convention on Privileges and Immunities. Should the United States concur in approving the report?

RECOMMENDATION

Insofar as one can anticipate what will be included in the report of the Secretary-General, it is recommended that the United States Delegation concur in approving the report.

DISCUSSION

The Report of the Secretary-General on the accessions to and the status of the General Convention on Privileges and Immunities of the United Nations will apparently not issue in time to permit its examination prior to the General Assembly session.<sup>1</sup> Judging from the Section on the General Convention which is contained in the Annual Report of the Secretary-General, the report on the General Conven-

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<sup>1</sup> It was issued on September 7, 1948 as United Nations document A/626.



tion will be largely expository and will contain little controversial matter. Apparently it will list the 25 countries who have adhered to the convention and report on action taken by other nations. In the absence of some unforeseen item which may be objectionable, the United States Delegation should join in approving the report.

#### STATUS OF THE CONVENTION IN THE UNITED STATES

The failure of the Congress of the United States to complete action to approve the Convention may be a cause of adverse comment in the Sixth Committee. The United States Delegation should point out that the Senate of the United States passed S.J. Res. 136 approving the Convention and that the Foreign Affairs Committee of the House of Representatives reported out H.R. 6802 which, *inter alia*, also approved the Convention. The pressure of urgent legislation at the end of the regular session, and the feeling that it was inappropriate to consider the Convention at the "special" session, prevented final action by this Congress. However, Representative Martin, Speaker of the House, and Majority Leader Halleck, issued a formal statement which said, in part, that "as Speaker and Leader, respectively, we have assured the members of the Committee on Foreign Affairs that these other provisions of their bill will be brought by us before the House of Representatives for debate" at the opening of the 81st Congress. While it will be necessary to introduce the legislation anew in both houses, it is not anticipated that there will be major difficulty in obtaining Congressional accession to the Convention.

For the present, the needs of the UN are adequately met by the International Organizations Immunities Act, P.L. 291, 79th Congress and the Headquarters Agreement, as approved in P.L. 357, 80th Congress.

#### *Probable Reservations*

It is not unlikely that the Committee will discuss the question of reservations to the Convention, as well as the specific items to which some nations have made reservation. In such discussions the United States Delegation should keep in mind that the Senate made certain reservations when it approved the Convention in 1947 and that these will probably be included in the final action of Congress.

#### *a) National Service Obligations*

It is virtually certain that in approving the Convention, Congress will reserve the right of the United States to impose obligations of military service on American citizens (and, perhaps, residents) who are employed by the Secretariat. It has been the position of the United States that military service when required by law is an obligation of citizenship from which no citizen should be exempt merely because of

his employment by an international organization. The United States deems this obligation to be an implied exception to the privileges and immunities contemplated by Article 105 of the Charter, and the United States will make that exception explicit when it approves the Convention. The United States Delegation might also point out that with regard to the League of Nations, Switzerland apparently did not exempt employees and officers of the League who were Swiss nationals. Also, the United States does not exempt individuals merely because they are officials of the American Government.

The United States Delegation should be careful to indicate, however, that the United States is fully conscious of its obligations to the United Nations and will, in the administration of its service laws, take the steps necessary to assure that the operations of the United Nations will not be disrupted. Under the Selective Service Act of 1948 it is expected that provision will be made, either in the regulations or by administrative practice, to permit the deferment of key personnel of the Secretariat in the same manner as important officials of the United States Government, or key employees in essential industries.

The reservation under discussion applies, of course, only to American nationals and residents. With respect to Secretariat officials who are in the United States only by virtue of their status with the Organization, the United States will give full recognition to the requirements of the General Convention. Thus, the administrative regulations under the Selective Service Act of 1948 specifically exempts from registration any alien who has not declared his intention to become a citizen of the United States "provided: . . .

(2) He is a full time official or employee of a foreign government who is a national of the country employing him and who has been notified to the Department of State, or a member of the family of such official or employee;

(3) He is a full time official or employee of a public international organization, which has been designated by the President under the provisions of the International Organizations Immunities Act, approved December 29, 1945 (59 Stat. 669), or a member of the family of such person;

(4) He is a person who has entered the United States and remains therein pursuant to the provisions of Section 11 of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations as approved in Public Law 357, 80th Congress approved August 4, 1947; . . ."

b) *The Laissez-Passer*

Both S.J. Res. 136, in which the Senate approved the General Convention, and H.R. 6802, which was reported out by the House Foreign Affairs Committee contained what may be deemed a reservation with regard to the *laissez-passer*. The Bills provided that nothing in Ar-

ticle VII of the Convention shall be deemed to abridge the right of the United States to require visas and passports. It might be argued that this is not a reservation, since there is nothing in the Convention which requires a Member Nation to cancel its normal passport and visa requirements. These, it might be noted, pertain even with respect to diplomatic officials of foreign governments. As is noted in the annual report of the Secretary General, however, the Report of the Sixth Committee on the Headquarters Agreement states that the position of the United States in effect narrows considerably the intended usefulness of the *laissez-passer*.

If the question arises for discussion the United States Delegation may note that the United States has been faithful to its obligations under the Charter and the Headquarters Agreement. Under the International Organizations Immunities Act, it has been according to officers and employees of the Secretariat the treatment accorded to officers and employees of foreign governments. In no case has the insistence of the United States on a passport or visa interfered with the freedom of the individual to leave or enter the United States on United Nations business. The Delegation might also add that a reservation by Congress on this point would not prevent the Government of the United States from giving to the *laissez-passer*, as an administration matter, such recognition as might prove necessary to facilitate the travel of United Nations personnel. (For a discussion of the possible criticism of the United States in the matter of travel of individuals on United Nations business, see the Comment Paper on the implementation of the Headquarters Agreement.)

*c) Taxation of Income of Americans Employed by the Secretariat*

In S.J. Res. 136, the Senate reserved the right of the United States to tax salaries paid by the United Nations to United States nationals. H.R. 6802, reported favorably by the House Foreign Affairs Committee, did not contain this reservation. In its Report, the House Committee stated:

“ . . .<sup>2</sup> It should be emphasized that the committee’s proposal does not go back upon the reservation stated at the time the Convention on the Privileges and Immunities of the United Nations was drawn up. That reservation stated simply that the exemption of American nationals from taxation was the business of the United States Congress.”

It is possible that the final action of Congress approving the convention will not contain the reservation. The Delegation may say that if Congress insists on the reservation, it is hoped that it will take steps to assure that in the event that the staff contributions plan is instituted, United States nationals on the Secretariat will not be subject to a

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<sup>2</sup> Omission indicated in the source text.



form of double taxation. To this end, Congress might be willing to allow the American national to credit against the federal income tax on his UN salary any amounts paid to the United Nations under a staff contributions scheme. In this way Congress would make practicable the establishment of the staff contribution system contemplated and would eliminate any inequities which might otherwise result from the Congressional reservation of the power to tax the individual's income.

The staff contributions plan and its relation to Congressional action on the General Convention is on the preliminary agenda as a separate item and is the subject of a separate position paper.<sup>3</sup>

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<sup>3</sup> Document SD/A/C.5/100, August 26, not printed.

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501.AC/5-348

*The United States Representative at the United Nations (Austin) to  
the Secretary of State*

NEW YORK, August 30, 1948.

SIR: I have the honor to report that as a result of a review of existing arrangements with the United Nations for the furnishing of information to the United States Government concerning alien members of the United Nations Secretariat and members of Delegations to the United Nations, an agreement has been reached with the Secretary-General of that organization for a revision of those arrangements. That agreement is in the form of an exchange of letters, dated respectively May 3 and August 16, 1948, between the Secretary-General of the United Nations and myself, and copies thereof are attached hereto.<sup>1</sup>

The functioning of the original arrangements since they were made in 1947 disclosed that certain changes were desirable in order to establish with increased efficiency and accuracy more complete lists of Secretariat and Delegation personnel. Accordingly, on May 3, 1948, I suggested to the Secretary-General that existing arrangements be reviewed, and pointed out the desirability of certain specific modifications. As a result of that letter, several meetings were held between representatives of the Mission and of the United Nations at which the technical, detailed questions involved in the suggested changes were discussed. At those meetings the United Nations officials displayed a willingness to cooperate fully and very readily agreed to the suggested revisions. The Secretary-General has confirmed the revised arrangements in the enclosed letter of August 16, 1948.

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<sup>1</sup> Not printed.

Pursuant to my request for a new, comprehensive and up-to-date compilation of information concerning alien United Nations Secretariat members, the Bureau of Personnel of the United Nations has agreed to furnish in September of this year as complete a list as possible of all alien Secretariat members and members of their families and their servants. This list will include information as to the title of the staff member and as to each person listed, his nationality, local address, passport number, and type of visa. In January 1949 a supplementary list of the same nature will be furnished by the Bureau of Personnel.

The revised arrangements further provide, as to alien members of the United Nations Secretariat, that the Bureau of Personnel of the United Nations will forward to the Mission, prior to the fifteenth of each month, five copies of lists of appointments and terminations which have occurred prior to the 25th of the preceding month. The lists of appointments will include, in addition to the name and title of post of each employee, the names of members of his family and of his servants who are with him in the United States and as to each person, his nationality, local address, passport number and type of visa. The lists of terminations will include, in addition to the name of each staff member involved, the date of termination, nationality, passport number, type of visa, local address, and a statement of the intentions of the staff member as to continued residence in or departure from the United States. With regard to continued residence in the United States, this statement of intentions will indicate that the staff member has made appropriate arrangements with immigration authorities. With regard to departure, the statement will indicate the scheduled date and port of departure, and the name of the steamship or air line being used. The United Nations representatives have been informed that the absence of a statement of intentions either as to continued residence in the United States or as to departure therefrom will be treated by the United States as evidence of an intent on the part of the staff member to violate the immigration laws.

It will be noted that the furnishing of departure information on a monthly basis represents a change from the previous procedure of furnishing such information every two weeks. This change was necessary to enable the United Nations Bureau of Personnel to supply additional information as agreed.

As to members of Delegations, the revised arrangements provide that, commencing after the next General Assembly session, all information regarding such members will come from one source in the United Nations Secretariat.

It has also been agreed that the Chief of Protocol of the United Nations will furnish to the Mission as soon as possible an up-to-date list

of all members of permanent Delegations and members of their families and servants.

In order to supplement the information which is now received from the United Nations concerning members of Delegations entitled to diplomatic privileges and immunities by virtue of Section 15 of Public Law 357—80th Congress, the Chief of Protocol of the United Nations will furnish monthly to the Mission, commencing after the next session of the General Assembly, five copies of lists indicating the appointment or termination of assignment of members of permanent Delegations other than those entitled to diplomatic privileges and immunities. These lists will contain, in addition to the name and title of such persons, the names of members of their families and household servants.

In the future, the Chief of Protocol of the United Nations will furnish to the mission lists of Delegation members who have come to the United States for single sessions of United Nations bodies. These lists will contain information similar to that furnished in the above-mentioned monthly lists of appointments and terminations of assignment of Delegation members, together with a statement of the sessions attended. Such lists will be furnished at monthly intervals commencing after the next session of the General Assembly.

It is anticipated that these improved arrangements will ensure that full information concerning alien members of the United Nations Secretariat and members of Delegations to the United Nations is made available to the United States Government in a regular and efficient manner.

Sincerely yours,

WARREN R. AUSTIN

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*United States Delegation<sup>1</sup> Position Paper*

RESTRICTED

[PARIS,] November 17, 1948.

REPORT OF THE FIFTH COMMITTEE ON TAX EQUALIZATION: STAFF  
ASSESSMENT PLAN

1. *United States Position*

The United States Delegation should vote in favor of the Resolutions recommended by Committee 5.<sup>2</sup> It may be necessary to speak

<sup>1</sup> The Third Regular Session of the General Assembly (First Part) met at Paris, France, September 21–December 12, 1948. For documentation regarding the composition and organization of the U.S. Delegation to this General Assembly, see pp. 9–21.

<sup>2</sup> For texts of the four draft resolutions, see the report of the Fifth Committee on tax equalization in United Nations, *Official Records of the General Assembly, Third Session, Part I, Plenary Meetings, Annexes*, pp. 310 ff. Hereafter cited as GA (III/1), *Plenary, Annexes*.



on this subject in the event that the Delegations attack one of the four resolutions proposed in connection with the Tax Equalization Staff Assessment Plan.

## 2. *History in Committee*

Failure of the United States Congress to ratify the Convention according income tax immunity for their income from the United Nations to United States nationals serving with the Secretariat has necessitated each year a decision by the General Assembly to reimburse staff members for such national taxes. This procedure has resulted in continuing charges against the United States that the United States Treasury was benefiting as a result of payments by other Members of the United Nations. The United States has indicated that complete tax immunity for its nationals was repugnant to basic American principles. The Delegation has reserved its position on the tax immunity question and has abstained from voting on the question of reimbursement of taxes. The Staff Assessment Plan developed by the Secretariat and a Committee of Tax Experts,<sup>3</sup> including an expert from the United States Government, is an effort to deal with this problem by levying an assessment against each member of the United Nations staff at rates between those of the United States and the higher Canadian rates. To make this plan meaningful, the United States Government will be expected to provide tax immunity for its nationals or provide that assessments paid to the United Nations may be offset against taxes due the United States Government.

The purpose of Resolution A is to adopt a tax plan; Resolution B to readjust salaries from the present "net" to a gross basis; and Resolution C calls on Governments to take necessary legislative action to protect their nationals from liability for double taxation. Resolution D authorizes the Secretary-General to continue reimbursements of staff members for national income taxes on United Nations salaries pending the acceptance of the Convention by Members or the enactment of necessary double-taxation legislation.

## 3. *Possible Developments in the Plenary Meeting*

In the event the resolutions are voted separately, the United States should abstain on Resolution D but should vote for Resolutions A, B, and C. The Belgium [*sic*] and Russian Delegations may oppose the assessment plan in general. Belgium and France may oppose merely Resolution D on the grounds that some pressure on the United States Congress is required to induce it to agree to exemption of United

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<sup>3</sup> The creation of a group of five tax experts was the result of a proposal made initially by the United States delegate in the Fifth Committee, Mr. Ernest A. Gross; see United Nations, *Official Records of the General Assembly, Third Session, Part I, Fifth Committee*, pp. 51-52.

States nationals from taxation. If possible, the United States should avoid speaking on this question, but if it becomes apparent that no other Government is prepared to defend the draft resolutions, the United States should speak on the specific arguments raised, following the general statement of position previously made by Mr. Gross in Committee 5 (attached).<sup>4</sup> A general statement is also attached.<sup>5</sup>

<sup>4</sup> Not attached; for Mr. Gross' statement, see United Nations, *Official Records of the General Assembly, Third Session, Part I, Fifth Committee*, pp. 51-52.

<sup>5</sup> Not printed. Mr. Gross did not make any statement in the plenary session, the General Assembly adopting the four resolutions without any discussion on November 18 (United Nations, *Official Records of the General Assembly, Third Session, Part I, Plenary Meetings*, pp. 473-474). Hereafter cited as GA(III/1), *Plenary*.

IO Files: US(P)/A/331

### *United States Delegation Position Paper*

[PARIS,] December 3, 1948.

## REPORT OF THE SIXTH COMMITTEE ON PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS<sup>1</sup>

### 1. *United States Position*

The United States should abstain from voting on the resolution<sup>2</sup> which notes with satisfaction the steps taken with a view to the entry into force of the Headquarters Agreements between the United States and the United Nations and invites those states which have not yet acceded to the convention on Privileges and Immunities of the United Nations to do so at the earliest possible moment. It will not be necessary for the United States to make any statement on this resolution. However, the United States should be prepared to speak against an attack on U.S. visa policy as indicated in 3 below.

### 2. *History in Committee*<sup>3</sup>

The resolution proposed by Egypt (Document A/C.6/297) was adopted by thirty-two votes in favor, one against (Peru), with two abstentions (United States-Argentina).

The United States Representative on Committee 6 stated that he would abstain from voting on the Egyptian resolution since it raised a matter which was within the exclusive Congressional prerogative

<sup>1</sup> For text of the Sixth Committee's report on privileges and immunities of the United Nations, see GA(III/1), *Plenary, Annexes*, pp. 477-478.

<sup>2</sup> For text of the committee's draft resolution, see *ibid.*, p. 478.

<sup>3</sup> For the proceedings of the Sixth Committee, see United Nations, *Official Records of the General Assembly, Third Session, Part I, Sixth Committee*, pp. 652 ff.

of the United States Government.<sup>4</sup> A Polish attack on United States visa policy<sup>5</sup> was answered by the United States and the United Kingdom.<sup>6</sup>

### 3. *Possible Developments in the Plenary Meeting*

The resolution will undoubtedly be approved. It is possible that Poland or some other delegation of the Eastern bloc may renew the attack on the United States visa policy. The United States should be prepared to speak against such attack.<sup>7</sup>

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<sup>4</sup> For statement by the U.S. representative in the Sixth Committee (Gross), see United Nations, *Official Records of the General Assembly, Third Session, Part I, Sixth Committee*, p. 653.

<sup>5</sup> For the remarks of Mr. Juliusz Katz-Suchy to the Sixth Committee concerning this matter on November 29, see *ibid.*, pp. 655-656. Mr. Katz-Suchy was Permanent Representative of Poland at the United Nations, a Representative on the Polish Delegation to the General Assembly and Polish delegate in the Sixth Committee.

<sup>6</sup> For the U.S. reply, see *ibid.*, pp. 657-658.

<sup>7</sup> The draft resolution was adopted by the General Assembly on December 8 without any discussion; see GA(III/1), *Plenary*, p. 767. For text, see United Nations, *Official Records of the General Assembly, Third Session, Part I, Resolutions*, p. 173. (Hereafter cited as GA (III/1), *Resolutions*.)

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### *Editorial Note*

An important area of agreement was reached between the United States and the United Nations in March 1948 with the conclusion of the negotiation providing for the financing of the building and furnishing of the permanent United Nations headquarters facilities in New York City. The essential provision was the granting of an interest-free loan of \$65,000,000 by the United States to the United Nations, to be repaid in annual installments over a period of thirty years extending from 1951 to 1982.

Agreement as to broad principles and many details had been reached by this Government and the United Nations by the end of 1947 (see *Foreign Relations*, 1947, volume I, page 75; and final details were worked out early in 1948. On March 23, 1948 the agreement was signed by Ambassador Warren R. Austin, United States Representative at the United Nations, and Mr. Trygve Lie, Secretary-General of the United Nations, subject to the approval of the United States Congress. For text, see 62 Stat. (pt. 3) 3725 and *Treaties and Other International Acts Series* (TIAS) No. 1899.

On April 7, 1948 the Agreement was transmitted by President Truman to the Congress, with a strong message asking for approval. Bills were introduced separately in the two Houses, and the Senate took favorable action on May 7 (S.J. 212). But action in the House of Representatives became snarled in the omnibus bill (H.R. 6802). The



House finally on August 5 accepted the Senate bill, S.J. 212, in the reconvened session of the Congress which met on July 26. On approval by the President on August 11 this legislation became Public Law 903; for text of the joint resolution with provisions of the agreement, see 62 Stat. 1286.

The United States Administration had been most anxious that the loan agreement receive approval before the Congress adjourned; and this was one of three actions specifically requested by President Truman in his message to the reconvened session on July 27; for text of the President's Message, see Department of State *Bulletin*, August 8, 1948, page 185. On the occasion of his approval on August 11, President Truman issued a statement expressing his deep gratification that the Congress had completed action "on this important measure", declaring that "The loan demonstrates our faith in the future of the United Nations . . . it is another example of the solidarity of the American people in behalf of our national policy of strengthening the United Nations and the cause of world peace and security for which it stands." (*ibid.*, August 22, 1948, page 235)

UNITED STATES POSITION REGARDING PROPOSAL FOR  
A GENERAL ASSEMBLY RESOLUTION APPEALING TO  
THE GREAT POWERS TO RENEW THEIR EFFORTS TO  
COMPOSE THEIR DIFFERENCES AND ESTABLISH A  
LASTING PEACE

501.BB/10-44S : Telegram

*The Secretary of State to the Acting Secretary of State*<sup>1</sup>

[PARIS,] October 4, 1948—1 p. m.

Delga 208. Following is text of Mexican draft resolution entitled "Appeal to the Great Powers to Renew Their Efforts to Compose Their Differences and Establish a Lasting Peace" referred to GC by GA president, circulated as A/662/Rev 1.<sup>2</sup>

Request for the inclusion of an additional item in the agenda of the third regular session referred to the General Committee by the President of the General Assembly.

Mexico : Draft resolution

Appeal to the Great Powers to Renew Their Efforts to Compose Their Differences and Establish a Lasting Peace.

The SA [*sic*]

1. Whereas it is the essential purpose of the UN to maintain international peace and security and to that end it must coordinate its efforts to bring about by peaceful means the settlement of international disputes or situations which might lead to a breach of the peace,

2. Whereas the UN should be a center for harmonizing the actions of nations in the attainment of this common end,

3. Whereas the UN cannot fully attain its aims so long as the recent war remains in process of liquidation and so long as all the peace treaties have not been concluded and put into force,

4. Whereas the great Allied Powers which bore the heaviest burden in the war and whose common sacrifice and effort were the prime cause

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<sup>1</sup>The Secretary of State was in Paris as head of the U.S. Delegation to the third regular session of the General Assembly which began on Sept. 21; for documentation regarding the representation of the United States at Paris, see pp. 9-21.

<sup>2</sup>The Mexican proposal was presented to the General Assembly on Sept. 28 by Dr. Luis Padilla Nervo, Permanent Representative of Mexico at the United Nations and Chairman of the Mexican Delegation to the General Assembly. He did this in his address to the General Assembly during the General Debate phase of the session. For text of the proposal, see United Nations, *Official Records of the General Assembly, Third Session, Part I, Plenary Meetings*, pp. 274-276. (Hereafter cited as GA (III/1), *Plenary*.)

of victory have reaffirmed, on many solemn occasions, their determination to maintain and strengthen in the peace that unity of purpose and of action which has made possible the victory of the UN,

5. Whereas the aforementioned Allied Powers which undertook, at the second Moscow conference [*sic*], responsibility for drafting and concluding the peace treaties have not been able, after three years of effort, to obtain the full realization of their high mission by building a just and lasting peace,

6. Whereas the disagreement between the said powers in a matter of vital importance to all the UN is at the present time the cause of the deepest anxiety among all the peoples of the world, and

7. Whereas the UN, in the performance of its most sacred mission, is bound to afford its assistance and co-operation in the settlement of a situation the continuation of which involves grave dangers for international peace,

Therefore, the GA resolves:

Firstly, to express its confidence that the great Allied Powers will determine their policy in the spirit of the declaration to which they subscribed in the Crimea, in which they reaffirmed their faith in the principles of the Atlantic Charter, their pledge in the declaration by the UN and their determination to build in co-operation with other peace-loving nations a world order under law, dedicated to peace, security, freedom and the general well-being of all mankind.<sup>3</sup>

Secondly, to affirm its adoption of that part of the declaration signed at Yalta on 11 February 1945 by Churchill, Roosevelt and Stalin, which proclaims that 'only with the continuing and growing co-operation and understanding among our three countries, and among all the peace-loving nations, can the highest aspiration of humanity be realized. A secure and lasting peace which will, in the words of the Atlantic Charter, "afford assurance that all the men, in all the lands, may live out their lives in freedom from fear and want" '.

Thirdly, to recommend the powers signatories to the agreements of the second Moscow conference to redouble their efforts, in a spirit of solidarity and mutual understanding, to achieve in the briefest possible time the final settlement of the war and the conclusion of all the peace treaties.

Fourthly, to recommend the aforementioned powers to associate with them, in the performance of such a noble task, the states signatories of the Washington declaration of 1 January 1942, either through

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<sup>3</sup> For a convenient reference source with texts of the wartime documents herein cited, see 81st Congress, 1st session, Senate Document No. 123, *A Decade of American Foreign Policy: Basic Documents, 1941-1949* (Washington, Government Printing Office, 1950), pp. 1-50.



the GA of the UN [or] by means of a special conference of [at which] all the states which subscribed or adhered to the said declaration [should be represented]”.

MARSHALL

IO Files : US (P) / A / C.L / 143

*Memorandum of Conversation by Dr. Frank P. Corrigan of the United States Delegation Advisory Staff*

CONFIDENTIAL

[PARIS,] October 18, 1948.

Subject: Mexican Resolution re the Great Powers

Participants: Ambassador Luis Padilla Nervo, Mexican Delegation  
Dr. Frank P. Corrigan, United States Delegation

Ambassador Luis Padilla Nervo has discussed with me on a number of occasions the reasons which have convinced him of the need for the resolution which he recently introduced in the General Committee (this item has now been allocated to Committee I). This resolution is entitled: “Appeal to the Great Powers to renew their efforts to compose their differences and establish a lasting peace.” It goes back beyond the organization of the United Nations and expresses confidence that the great Allied Powers would determine their policy in the spirit of the declaration which they subscribed in the Crimea. It recalls also the Atlantic Charter and the Churchill–Roosevelt–Stalin declaration signed at Yalta. It also recommends that the Powers associate with them in the performance of such a noble task the states signatories of the Washington declaration of 1 January 1942 either through the General Assembly or by means of a special conference of all the states which subscribed or adhered to that declaration. He repeated his previously expressed conviction that no decision is possible in the Security Council on matters such as, for instance, the Berlin question, about which the Soviets and the Western Powers are diametrically opposed. He feels therefore that eventually the whole problem will in some way or other at some time reach the General Assembly. He thinks that if his resolution had been previously adopted it will furnish a point of reference and help to set the level of the discussions which will ensue. This debate would then place the controversy before world public opinion in such a way as to justify in the eyes of the world whatever serious eventualities that might develop. While he did not say so in so many words I got the impression that he meant a clear-cut presentation and justification of any measures which might have to be taken, including armed conflict.<sup>1</sup>

<sup>1</sup> The First Committee began consideration of this item on October 20; for the proceedings, see United Nations, *Official Records of the General Assembly, Third Session, Part I, First Committee*, pp. 218 ff. (Hereafter cited as GA(III/1), *First Committee*.)

IO Files : US(P)/A/C.1/153

*United States Delegation Working Paper*

CONFIDENTIAL

[PARIS,] October 20, 1948.

DRAFT STATEMENT ON MEXICAN RESOLUTION <sup>1</sup>

MR. CHAIRMAN, my Delegation desires to express its appreciation to the Delegate of the Government of Mexico for the spirit of cooperation which has animated him in introducing the Draft Resolution.

We are fully aware that this Draft Resolution has been introduced in response to the deep sentiment of the Members of this General Assembly who have been disturbed by the growing tensions amongst the Great Powers. We realize that the Members of this Assembly wish above all to re-establish a fuller spirit of Great Power cooperation, without which our efforts must necessarily suffer. We recognize and welcome the desire of all those who support the Mexican resolution to do everything they can to reduce international friction.

It is not our purpose to participate in the debate on this resolution. Since the resolution is addressed to the larger Powers and constitutes an effort to establish harmony among them, we believe the Committee would agree that it would not be entirely appropriate for us to enter the debate on the underlying issues which have given rise to the proposal or, for that matter, on the terms of the resolution itself. Needless to say, my Government will give the most serious attention to the terms of any resolution which is passed by the General Assembly in this field.

In the interest of the spirit of harmony, which the sponsor of this Draft Resolution is seeking to obtain, I offer the observation that there may be certain points of detail in the Draft Resolution which may raise elements of disagreement among those to whom the resolution is addressed. For example, the present wording of the fifth paragraph of the preamble is not entirely clear and may open up rather than reconcile certain differences in point of view. More important, I would invite your attention to Paragraph 4 of the operative part of the resolution. That paragraph expresses a broad point of view which has been strongly supported in the past by my Government. At the same time, we recognize that the subject is one upon which the larger Powers have not found it easy to agree.

It might contribute to the purposes of the resolution, therefore, if the Honorable Delegate of Mexico would consult with the larger Powers with a view to making such drafting changes as would remove specific elements of difference. My Delegation would hope that, after

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<sup>1</sup> For Delegation discussion of this draft statement, see Delegation Minutes, *infra*.

such informal consultation, the mover of this resolution would then be in a position to suggest changes to this Committee which might permit it to be adopted without objection.

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IO Files : US(P)A/A/M(Chr)/20

*Minutes of the Twentieth Meeting of the United States Delegation,  
Paris, Hotel d'Iéna, October 21, 1948, 9:15 a.m.*

SECRET

[Here follow list of persons (34) present and discussion of another item on the Delegation's agenda.]

## 2. *Mexican Resolution on Appeal to the Great Powers*

Mr. Dulles said that he had prepared a substitute statement for use in Committee 1 in the place of the paper before the Delegation. He felt the other paper (US(P)/A/C.1/153)<sup>1</sup> rather suggested that the Committee undertake some redrafting to make it acceptable. He thought that if the Mexican resolution were treated as a serious directive we would get involved in an interminable wrangle. He was, accordingly, suggesting this alternative. He then read his own draft statement<sup>2</sup> to the Delegation. It made the following points: The United States views the proposed resolution sympathetically and accepts the underlying principle that while certain powers have the right of initiation on the peace terms, this right should be used fairly. These great powers had both the right and the responsibility, which if not properly exercised made these matters a legitimate concern for other states. The United States did not intend to discuss the resolution as if it were a technical directive. Such discussion might lead to nothing at all. The United States recognized the need for early conclusion of the peace treaties and pledged itself to renew the efforts sought by the resolution for swift conclusion of the peace treaties.

Mr. Cohen said he liked Mr. Dulles' statement very much but wanted to make two observations: it might produce discussion which, if started, would be difficult to stop. The resolution referred to agreements between three rather than five Powers. The most important question was whether there should be any comment on the last portion of the operative section of the draft putting forward the views of the Latin American governments whose invitation to the peace conferences the United States had consistently supported. For example, because of obligations to the Latin American states, the United States had felt obliged at the 1946 Moscow Conference to make a proposal that all states in the war be invited to the Peace Conferences. This

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<sup>1</sup> *Supra.*

<sup>2</sup> Not found in Department of State files; but see *infra*.



was simply an attempt to work out accommodations of this view, to which the United States had no objection. He thought there was some danger that people might suspect that this country was behind this particular part of the resolution. For that reason, he wondered whether it would help reduce debate if we merely suggested that there should be drafting changes made. Certainly on the question of participation in the Peace Conferences it should be frankly admitted that this was the view which the United States endorsed.

The Secretary said he did not quite understand Mr. Cohen's point. Mr. Cohen said his idea was that Mr. Dulles might add his two thoughts to his statement. Mr. Dulles said that if we once got into the question of drafting changes it would be like opening up Pandora's Box, as to who was entitled to participate and all the matters through which the United States had gone at Moscow. Mr. Cohen said his purpose was to avoid just that. If the resolution remained as it was, it was his feeling that just such a discussion would start. If the United States said nothing it was all right but discussions might start if no way was found to omit this paragraph. Mr. Dulles agreed it would be desirable if Paragraph 4 could be omitted altogether. He was rather hopeless as to this because he did not think agreement could be gotten on the deletion of the last paragraph, which he regarded as a drive on the part of certain states to get into peace-making. It was, he thought, better to say this was a pious resolution and the United States agreed with it in principle and let it go at that.

Mr. Thorp said that, since this was simply an appeal to the Great Powers, he did not think the United States should vote for it itself. Mr. Dulles said that it was his idea that he should abstain on the vote as it was primarily an appeal to ourselves. Mr. Cohen thought it would be very good if discussion could be avoided altogether. Mr. Dulles said he would make a statement along the lines of that he had read to the Delegation initially, then, if discussion developed, the question of the deletion of the fourth paragraph could be considered.

Mr. Bohlen called attention to the fifth WHEREAS clause which he pointed out would bring up the Japanese Peace Treaty. This clause supported the Soviet thesis for drafting the Japanese Peace Treaty. There were also a number of inaccuracies in the resolution, for example, the reference to the second Moscow Conference when there was no such conference. The whole idea, he pointed out, was quite contradictory to the statement made by the Secretary in his opening speech. He liked Mr. Dulles' speech very much but would like to see the inaccuracies in the resolution corrected. It was agreed that the best way to handle this matter would be to take up the individual parts in a private conversation with Padilla Nervo. It was further agreed that Mr. Dulles' draft should be used in the debate.

501.BB/10-2148 : Telegram

*The Secretary of State to the Acting Secretary of State*

PARIS, October 21, 1948—5 p. m.

Delga 481. Following is draft statement on Mexican resolution approved by Gadel for delivery by Dulles Committee One today:<sup>1</sup>

“USDel views sympathetically resolution introduced by Mexican delegation. We accept principle that underlies it, which we understand to be that while those powers which were enabled to make greatest contribution to victory have right of initiative with respect to peace terms, this is a right which ought to be used affirmatively and constructively, and if not so used, consequences are of concern to all members of UN. In other words, larger powers have not only right but responsibility and if they do not adequately discharge that responsibility, others are entitled to concern themselves with that fact.

With that principle, as I say, we are in accord. We do not intend to discuss resolution as though it were technical directive. That would only precipitate in this Assembly acrimonious disputes. I recall that first meeting of Council of Foreign Ministers in London broke down primarily because one of five participants wished to eliminate two of five from further participation in treaty drafting then under way. I recall that in Moscow in 1947 nearly two days were consumed by insistence of one power that a state not a member of the UN should be entitled to participate in drafting peace treaties. I take it we do not want that kind of discussion here, and we assume that is not purpose of resolution. Rather it is to record solemn concern of all of UN in early conclusion of peace treaties. Government of US recognizes legitimacy of that concern and we pledge ourselves to renewed efforts which are sought by Mexican Resolution.”

MARSHALL

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<sup>1</sup> For the summary record of Mr. Dulles' remarks, see GA (III/1), *First Committee*, pp. 222-223.

10 Files : US(P)/A/205

*United States Delegation Position Paper*

[PARIS,] November 1, 1948.

REPORT OF THE FIRST COMMITTEE ON A RESOLUTION INTRODUCED BY THE DELEGATION OF MEXICO UNDER THE TITLE "APPEAL TO THE GREAT POWERS TO RENEW THEIR EFFORTS TO COMPOSE THEIR DIFFERENCES AND ESTABLISH A LASTING PEACE"<sup>1</sup>

*1. United States Position*

The United States Delegation should vote in favor of this resolution, as it did in Committee 1 by informal agreement with the other Major Powers.

It may be desirable for the United States Representative to make a brief statement on this resolution in the circumstances suggested in paragraph 3 below.

*2. History in Committee*

After statements by representatives of the five Major Powers, many Latin American states, and certain other countries, the Mexican resolution was referred by Committee 1 to a drafting sub-committee. In a single session, the sub-committee reached unanimous agreement on an amended text.<sup>2</sup> The original Mexican draft was changed in three respects:

a) A Soviet amendment to the fourth operative paragraph of the Mexican resolution leaves the Great Powers free to choose the method by which they will associate with themselves in the peace-making process the other signatories and adherents to the United Nations Declaration. (The Mexican resolution had provided that this should be done either through the General Assembly or by means of a special conference.)

b) A French re-phrasing of the other operative paragraphs of the resolution clarifies the wording of the draft and avoids any possible implication in the Mexican draft that France and China, which did not participate in the Yalta Declaration are in any way excluded from the ranks of the Great Powers.

c) A further drafting change to the first operative paragraph of the resolution, proposed by the Soviet Union, restores the names of Churchill, Roosevelt and Stalin to the draft as authors of the Yalta Declarations of 11 February 1945.

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<sup>1</sup> For the report of the First Committee on this item, see GA (III/1), *Plenary, Annexes*, pp. 287-289.

<sup>2</sup> For the report of Sub-Committee 13 and the amended text, see GA (III/1), *First Committee, Annexes*, pp. 24-26.



The resolution was adopted unanimously by the First Committee in the form recommended by its sub-committee.

3. *Possible Developments in the Plenary Meeting*

There would appear to be three possibilities:

a) The Latin American states and other smaller powers may speak in the Plenary Session in order to express their fear of the consequences of the dissensions among the Great Powers and their hope for the restoration of Great-Power cooperation. In this case, it would not be necessary for the United States Representative to make a statement.

b) Other permanent members of the Security Council may make statements pledging themselves to continue their efforts to conclude the peace treaties and restore a greater measure of cooperation among themselves. If other permanent members of the Security Council speak, the United States Representative should make a brief statement along the lines of the statement made by Mr. Dulles in Committee 1 to this effect.

c) The Soviets may conceivably use the occasion to make a statement referring to the Berlin crisis and presenting their point of view. In this case, it may be advisable, depending on the nature of the Soviet statement, for the United States Representative to reply with a brief statement reiterating the position of the United States.<sup>3</sup>

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<sup>3</sup> On November 3 the draft resolution was adopted unanimously by the General Assembly with no discussion; for the proceedings see GA(III/1), *Plenary*, pp. 372-374. For text of Resolution 190 (III), see GA(III/1), *Resolutions*, pp. 15-16.

# THE UNITED STATES AT THE UNITED NATIONS: THE UNITED STATES POSITION REGARDING CERTAIN PROBLEMS OF UNITED NATIONS ORGANIZATION AND PROCEDURE

## I. UNITED STATES POLICY REGARDING ELECTIONS TO CERTAIN ORGANS, COMMISSIONS, AND COMMITTEES OF THE UNITED NATIONS<sup>1</sup>

IO Files<sup>2</sup>: US/S/608

*Memorandum of Conversation, by the Acting United States Representative at the United Nations (Jessup)*

CONFIDENTIAL

[New York,] June 29, 1948.

Participants: Dr. Tsiang, Chinese Delegation.<sup>3</sup>

Dr. Philip C. Jessup, United States Mission

Dr. Tsiang called on me yesterday afternoon and, among other questions, raised the matter of seats on the Security Council. He strongly urged the desirability of India having a place on the Security Council. In this connection he noted the threat of unrest and of Communistic activities based upon that unrest, and felt it important that everything possible should be done to build up the Indian government. He recognized the problem of supplanting a Latin American state, an Arab state, or a Western European state. He thought that if India remained in the British Commonwealth, that consideration could be given to having India succeed Canada, but he hoped that a way could be found to get India on the Council this fall. He admitted that particularly with the Palestine question still active, the Arab states would make a strong effort to retain their representation. As a long-range proposition, he suggested that the allocation of seats might be considered in four-term groups. Under this system, the Latin Americans would be entitled to two seats on the Council every three out of four terms, but for the fourth term, would have only one seat which could then be allocated to some other state. A similar system might be applied, in his opinion, to representation from the Arab states. In general, Dr. Tsiang stressed the importance of the emerging states of Asia and the bases for giving them added representation in the Security Council.

<sup>1</sup> Continued from *Foreign Relations*, 1947, vol. I, pp. 100-165.

<sup>2</sup> Short title for the master files of the Reference and Documents Section of the Bureau of International Organization Affairs, Department of State.

<sup>3</sup> Dr. Tingfu F. Tsiang, Permanent Representative of China at the United Nations.

501.BC/7-948

*Memorandum by the Assistant Chief of the Division of United Nations Political Affairs (Popper) to the Director of the Office of United Nations Affairs (Rusk)*

SECRET

[WASHINGTON,] July 9, 1948.

Subject: Developments in the Department on the Slates Problem

At a Membership Team <sup>1</sup> meeting July 8 we were able to get a clearer idea than we have previously had about the thinking of the Geographic Offices <sup>2</sup> on the elections to the Security Council and ECOSOC in the fall. You will receive the minutes of the meeting and other memoranda on the subject in the near future.

It seems to me to be important for us to decide how far we should try to push our views as to the adequacy of the Geographic Office candidates from the organizational rather than the political point of view. It is natural and proper for them to think in terms of satisfying their clients and electing strong supporters of the United States to the Councils. On our side I think we ought at least to raise for higher authority the organizational considerations involved, particularly since they may well be the determining factors in switching the election one way or another. I have in mind particularly the mistake we made in opposing the election of the Ukraine to the Security Council last year. While this was defensible on political grounds, it did violence to organizational practice (geographic balance). I think it will be agreed that we should, if possible, avoid such a situation in the future.

As the attached list of Council members and candidates shows, we will be confronted this year with a tendency to support the concentration of Council seats in the hands of a few middle powers, thus creating a *quasi* monopoly for them in the Councils which in my opinion is sure to be distasteful to the smaller countries. I call your attention particularly to the following:

1. The Belgians tell us that the five Western Union Powers will caucus around July 20 and that Belgium is anxious to have the Netherlands succeed her on the Security Council. Our support is asked. EUR proposes to state, in substance, that the Netherlands would be our first choice for election provided it could be elected. From the organizational point of view, we in UNP feel that support for the Netherlands would be unfortunate. The Netherlands served a one-year term on the Security Council ending December 31, 1946, and Belgium was elected to replace her. Now Belgium's term on the Security Council is

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<sup>1</sup> The preliminary Department of State position on filling the offices of United Nations organs for a new term was fixed by a Departmental group set up in 1946 and known as the Membership Team.

<sup>2</sup> That is, offices dealing with relations with specific countries and areas.



expiring, while the Netherlands' term on ECOSOC also expires. The two countries apparently envisage a switch from Council to Council. We think that the implication that Belgium and the Netherlands between them should monopolize a Security Council seat is unfortunate and should be opposed. We feel that Norway would be a much more satisfactory candidate. Hayden Raynor<sup>3</sup> himself recognizes that the election of the Netherlands would be difficult because of the Indonesian situation and the rotation factor. The issue will be forced by EUR in order to present our views to the Western Union bloc before the July 20 meeting, and I think our position should be cleared up as rapidly as possible.

2. Reference was also made in the Membership Team meeting to the possibility of having Brazil succeed Colombia on the Security Council and Turkey succeed Syria. Brazil left the Security Council at the end of last year and ought not to be re-elected so soon. She was elected to ECOSOC in the last Assembly. If elected to the Security Council this year, her term of office on both Councils will expire simultaneously in 1950. It seems to me that the Latin American States will not wish to have both Argentina and Brazil on the Security Council simultaneously and that we would do better to look about for another Latin American candidate.

3. If Turkey is a candidate, we should note that Turkey already has a seat on ECOSOC which she continues to hold for another year. I see no ground on which Turkey, by virtue of its intrinsic importance deserves to be on both Councils at once. Surely we should have enough friends in the world to be able to spread these offices more widely.

4. Of the six ECOSOC members whose terms expire this year, five apparently desire re-election, while the sixth—the Netherlands—will apparently stand for the Security Council. I see no reason why Peru and Chile should be re-elected, particularly the former, whose contribution to ECOSOC has been virtually nil. China and France, as great powers, are undoubtedly entitled to re-election. The situation as regards Canada is perhaps more difficult. Canada will continue to be on the Security Council for another year, and Australia and New Zealand will continue to be on ECOSOC. Hayden Raynor admits that the Commonwealth is overrepresented on ECOSOC but feels we ought to support Canada for re-election, perhaps with an understanding that we would replace New Zealand next year with a Non-Commonwealth State. While I am conscious of Canada's political and economic importance to us and to the world, I feel that it is a mistake to re-elect any but the Big Five to ECOSOC, particularly when they are also members of the Security Council.

Would it be possible for Mr. Wainhouse, Miss Brown and me to discuss with you for a few minutes the problems indicated above? <sup>4</sup>

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<sup>3</sup> G. Hayden Raynor, Special Assistant to the Director of the Office of European Affairs (Hickerson), and in charge of European Affairs liaison with the Office of United Nations Affairs.

<sup>4</sup> David W. Wainhouse, Associate Chief of the Division of International Security Affairs, and Elizabeth A. Brown of the International Administration Staff.

## [Attachment]

CONFIDENTIAL

## COUNCIL SLATES

## A. SECURITY COUNCIL

1. *Present Membership**Permanent Members:*

China  
France  
USSR  
UK  
US

*Non-Permanent Members:*

Term Expires December 31, 1949:

Argentina  
Canada  
Ukrainian S.S.R.

Term Expires December 31, 1948:

Belgium  
Colombia  
Syria

2. *Announced Candidates*

Netherlands  
Cuba  
Turkey  
India

## B. ECONOMIC AND SOCIAL COUNCIL.

1. *Present Membership*

Term Expires December 31, 1950:

Australia  
Brazil  
Denmark  
Poland  
USSR  
UK

Term Expires December 31, 1949:

Byelorussian S.S.R.  
Lebanon  
New Zealand  
Turkey  
United States  
Venezuela

Term Expires December 31, 1948:

Canada  
Chile  
China  
France  
Netherlands  
Peru

2. *Announced Candidates*

Peru  
Chile  
Greece  
Bolivia  
Luxembourg (possible interest)

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501.BC/6-2848: Telegram

*The Secretary of State to the Acting United States Representative at  
the United Nations (Jessup)*

SECRET

WASHINGTON, July 16, 1948—5 p. m.

466. Urtel 827, June 28.<sup>1</sup> Dept feels it most desirable that SC seat from which Belgium retires, should continue to be occupied by state from western or northern Europe. In view of facts (a) that Article 23 of the Charter provides that a retiring member shall not be eligible for immediate reelection and requires that, in the choice of SC members, due regard be paid to equitable geographic distribution, and (b) that Netherlands preceded Belgium on SC, this govt has been considering possibility of Norway or Denmark as Belgium's successor. It is not known whether Norway or Denmark is interested in this post.

Netherlands election would probably be opposed by Slav states and perhaps all so-called anti-colonial powers as well. There might also be a feeling by certain small states that SC posts should not be monopolized by few states and a prejudice against single seat in effect rotating between Belgium and Netherlands. Moreover, obvious overall UN organizational considerations indicate importance and desirability wider distribution such vital UN posts.

Please make informal and confidential inquiries this matter with your UK and French colleagues, refraining from any commitments and indicating our desire obtain fullest info before reaching decision.

MARSHALL

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<sup>1</sup> Not printed.



501.BB/S-348 : Telegram

*The Secretary of State to the Acting United States Representative at  
the United Nations (Jessup)*

SECRET

WASHINGTON, August 3, 1948—9 p. m.

507 1. Urtel 964, July 29.<sup>1</sup> Dept. is not disposed to support Arce<sup>2</sup> candidacy for GA presidency. This position not intended as reflection on Arce or Argentina but is motivated by fact that within past year three Latin Americans—Arce, Aranha,<sup>3</sup> and Padilla Nervo<sup>4</sup>—have presided over GA and IC, its subsidiary organ. Please inform Arce this position.

2. Dept. is considering at this time support for suitable European candidate, on ground it would be appropriate to select GA Pres. from country host to GA or one of its neighbors, preferably man fluent in French. Dept. requests you ascertain French views on question without yourself indicating any position on this matter. This would not exclude consideration other suitable candidates, such as Bech (Luxembourg).<sup>5</sup>

3. Pls. discuss this question privately with French, UK and Chinese, bearing in mind Geneva's 917 of July 29,<sup>6</sup> repeated to USUN, and report to Dept.

MARSHALL

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<sup>1</sup> Not printed.

<sup>2</sup> Dr. José Arce, Permanent Representative of Argentina at the United Nations.

<sup>3</sup> Dr. Oswaldo Aranha, sometime head of the Brazilian Delegation to the General Assembly and President of the General Assembly.

<sup>4</sup> Dr. Luis Padilla Nervo, Permanent Representative of Mexico at the United Nations.

<sup>5</sup> Joseph Bech, Luxembourg's Minister of Foreign Affairs and Head of the Luxembourg Delegation to the General Assembly.

<sup>6</sup> Not printed.

501.BC/S-648 : Telegram

*The Ambassador in Norway (Bay) to the Secretary of State*

SECRET

OSLO, August 6, 1948—5 p. m.

526. Although Norwegian Government concurs with US position desirable that Belgian seat UNSC remain in western or northern Europe it is not yet prepared to declare extent its interest in becoming successor to Belgium (Deptel 379, August 4). Since Norwegians feel that by process of elimination only nations likely to be "eligible" from west or north Europe are Norway and Sweden, it is intended Foreign Minister Lange will discuss this point with Swedes at meeting Stockholm about September 10. Norwegians foresee difficulties may arise in reserving seat for area since they do not expect Arab League willing to see India (which has already proposed review geographical dis-

tribution council seats) succeed Syria. Norwegians also regard Latin-Americans most unlikely yield Colombia's seat to nation from other area. Therefore India as representative states having large area and substantial economic influence may compete for Belgian seat. Foreign Office will inform Embassy as soon as Norwegian position taken but do not expect to reach conclusions until after Stockholm meeting.

Norwegian delegation UNGA tentatively named but must await approval Foreign Minister on his return from vacation next week. "Lange certain to go" and balance delegation "will resemble those attending past UN meetings".

BAY

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501.BC/8-648

*Memorandum by the Acting Chief of the Division of South Asian Affairs (Mathews) to the Deputy Director of the Office of Near Eastern and African Affairs (Hare)*

CONFIDENTIAL

[WASHINGTON,] August 6, 1948.

In deciding which nation the United States should support to occupy the non-permanent membership on the Security Council being vacated by Syria, SOA would like to invite the attention of NEA to the following reasons why, in its opinion, India should be chosen as the US candidate:

1. The United States supported India last year against the Russian-supported Ukraine. Although this support evoked a strong favorable reaction in India and contiguous countries at the time, there were elements in India, less friendly to the United States, which contended that the United States was not supporting India out of sympathy for India but as a result of power politics and opposition to a Russian satellite. To fail to support an actively-campaigning India this year could not but give credence to these charges and instigate a series of attacks on "American lack of principles" among the ever-ready Indian press.

2. The Government of India has repeatedly solicited the support of the United States for this seat. It is apparent that India is not only anxious to become a member of the Security Council but that failure on our part to support India's candidacy would be detrimental to Indo-U.S. relations.

3. If the US were to support a country which could be classified as an American satellite or dependent, it is probable that Russia would favor the Indian candidacy. Should Russia support this candidacy and the U.S. oppose it, a pro-Russian alteration might well occur in India's already insufficiently clear attitude toward the Western-

Russian ideological conflict. Such an alteration would seriously impede the achievement of the fundamental U.S. political objectives with respect to India which have been stated as being: "the orientation of the government and peoples of India toward the United States and other western democracies, and away from the USSR . . . and the progressive development of responsible democratic political institutions in India".

4. From every standpoint of geographic location, population, resources, and physical size India is preeminently qualified to be a member of the Security Council of the United Nations. Thus, it would certainly not be inappropriate for India to be elected to one of the non-permanent seats at this time—or for the United States to be one of the Great Powers supporting India. In this connection it should be borne in mind that China is already pledged to India and that it would be difficult to imagine that the British will not favor India over all other candidates.

5. Should the United States support any nation other than India for this position, and should that other nation be elected, damaging weight would be added to the already-current charge throughout the South Asian area that neither the United States nor the United Nations has a realistic appreciation of the importance of South Asia or of the worthiness of its claim to play a meaningful role in international organizations.

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501.BC/6-1848 : Telegram

*The Secretary of State to the Embassy in Turkey*

SECRET

WASHINGTON, August 9, 1948—6 p. m.

426. Urtel 491 June 18.<sup>1</sup> Re Sarper's request US support of Turkey's candidacy, current informal thinking in Dept tends favor supporting India rather than Turkey for forthcoming Near Eastern vacancy. While we recognize greater reliability of Turkey, there are reasons making it desirable favor India. We had hitherto been under impression that Turkey, already member ECOSOC, not particularly anxious for SC seat.

Before taking position, Dept requests your views including estimate of (1) whether Sarper is acting with full support of Turk Govt; (2) Whether our non-support of Turk candidacy would seriously jeopardize current policy and relations with Turkey.

MARSHALL

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<sup>1</sup> Not printed.



501.BC/8-1048 : Telegram

*The Secretary of State to the Embassy in the United Kingdom*

SECRET

WASHINGTON, August 10, 1948—6 p. m.

3163. Dept feels it desirable that SC seat from which Belgium retires this year should continue to be occupied by state from Western or Northern Europe. In considering possible candidates Dept wishes to take into account views of other states.

Dept considers Norway best qualified candidate this area with Denmark as less satisfactory alternative. Dept understands Netherlands not a candidate. Our conversations NY reveal French apparently committed support Luxembourg first ballot. Dept doubts whether Luxembourg can be considered qualified for SC in view Article 23 Charter requirement of primary emphasis upon "contribution of Members of the UN to the maintenance of international peace and security." . . . . Our informal interpretation this phrase suggests importance of state's ability to make material contribution to maintenance international security. Moreover, if Luxembourg considered eligible, unfortunate precedent may be created as regards small states other areas. Dept would not favor Sweden at this time because of its reluctance to take any position on certain important political issues arising out of East-West differences which would be likely to prevent its playing constructive role SC.

Please discuss substance above FonOff, indicating Dept presently disposed support Norway, if candidate. You may point out that if this seat is not to be won by candidate from another area early agreement on preferred European candidate is essential, so that necessary diplomatic preparations may be undertaken. Preliminary discussions with British and French Delegations UN disclose lack of instructions or views this matter, except for French commitment Luxembourg.<sup>1</sup>

MARSHALL

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<sup>1</sup> Repeated to the Embassy in France as telegram 3050, August 10.

In telegram 3700, August 16, the Ambassador in the United Kingdom (Douglas) responded: "British official position in regard to successor for Belgium on SC not yet determined. (Deptel 3163 August 10.) Mason head of UN Department indicated informally that British might well come to same conclusion as US that Norway would be first choice. He also stated Jebb [H.M. Gladwyn Jebb, Superintending Under Secretary for the United Nations Political Department, British Foreign Office] during forthcoming visit to Washington for discussion on matters on GA agenda would probably take up whole question of slates." (501.BC/8-1648)

501.BC/8-1148 : Telegram

*The Acting United States Representative at the United Nations  
(Jessup) to the Secretary of State*

SECRET

NEW YORK, August 11, 1948—3:15 p. m.

1010. Although (a) we are not aware of the political or geographical considerations which may account for the Department's tendency to favor India for the Near Eastern vacancy on the SC (Department's 426 to Ankara, August 9), and although (b) we have personally strongly supported India for a place on the SC in the fall of 1946 and 1947, and (c) still feel that in due course India should have a place on the SC, on the other hand we feel strongly for the following reasons, that it would be a mistake to support India this year:

1. India's apparently intemperate and intransigent attitude with regard to Kashmir and Hyderabad<sup>1</sup> scarcely qualifies her this year under Article 23, paragraph 1 of the Charter.

2. US support of India while the Kashmir dispute is still unsettled might well be regarded as a grave affront by Pakistan.

3. In the present situation respecting Palestine we must not risk further impairing our relations with the Arab states by supporting a candidate to succeed Syria which is not either, (a) one of the other Arab states or, (b) the free choice of the Arab states. It might be expected that the Arab states, if they cannot agree on one of their own group would prefer Pakistan over India since Pakistan, (a) is a Moslem state, and (b) has been the strongest supporter of the Arab viewpoint with regard to Palestine in the UN. Or, as an alternative to Pakistan the Arab states might be expected to favor Turkey.

Our recommendations are as follows:

1. We should put aside any thought of supporting India this year or Pakistan either since Pakistan is also one of the parties in the Kashmir dispute.

2. We should sound out the Arab states to the extent feasible (we can do this with Syria and Egypt here) as to their views concerning, (a) one of the Arab states as successor to Syria, or (b) alternatively, Turkey.

3. In discussing this matter with the Arabs, we should, (a) indicate that we wish to be guided primarily by their views concerning the successor to Syria, (b) very delicately hint that the Arab states themselves might find it convenient to agree on Turkey, and (c) indicate that the Arab states could always, of course, have a place at the council table when Palestine was under consideration and that the election of Turkey might therefore be considered as giving them an additional voice.

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<sup>1</sup> Documentation relating to this subject is scheduled for publication in volume v.

Our positive reasons for favoring Turkey if the Arabs could be induced without impairing our relations with them to agree upon Turkey are as follows:

1. Turkey is a vitally important link and buffer in the problem of Near Eastern security.
2. It would be to our overall advantage to build up Turkey's prestige.
3. Turkey could be of very great assistance as a member of the SC in matters concerning the maintenance of peace in Palestine with which the SC will undoubtedly have to deal for some time to come.

We should appreciate the Department's reactions to the foregoing and instructions as to conversations with Syrian and Egyptian representatives here.

It may be added that Ignatieff<sup>2</sup> told us yesterday that he understood Pillai,<sup>3</sup> the Indian representative here, had advised his government against seeking election to the SC this year.

JESSUP

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<sup>2</sup> George Ignatieff, an Alternate Representative of Canada on the Security Council.

<sup>3</sup> P. P. Pillai, Permanent Representative of India at the United Nations.

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501.BC/8-1248: Telegram

*The Consul General at Istanbul (Macy) to the Secretary of State*

SECRET      US URGENT

ISTANBUL, August 12, 1948—4 p. m.

239. From Ambassador Wilson. I came to Istanbul yesterday en route US expecting see Foreign Minister who has been here few days and inquire of him frankly re Sarper request for support Turkish candidacy SC seat (Deptel 426, August 9 to Ankara); Sadak however is ill with pneumonia. I therefore requested Perkins in Ankara see Secretary General Foreign Office.

Perkins now advises Secretary General states Turk Government definitely decided would like seek SC seat but could not say Sarper in requesting US support was acting under specific instructions to that end; he was rather exploring lay of land to see what possibilities might be.

In view foregoing I suggest that in reply to Sarper our UN delegation explain to him frankly and fully present trend our thinking in matter and specific reasons which may make it seem desirable to us support India. This should result either in Turks dropping their candidacy and going along with us or else in maintaining candidacy and making firm request for our support. If latter case develops then



I strongly urge we support Turks as failure to do so after firm request might well cause misunderstanding and prejudice present most friendly cooperative relations. [Wilson.]

MACY

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501.BB/S-1648 : Telegram

*The Secretary of State to the Embassy in France*

SECRET US URGENT

WASHINGTON, August 16, 1948—7 p. m.

3142. Dept is concerned over situation developing re President of forthcoming GA. For your own info we have felt that, in view of location of next GA, it would be appropriate for President to be a suitable French representative or else a Western European fluent in French. Inquiries of French UNDel have not produced any firm info re question whether French desire post.

Pls ascertain urgently from FonOff (1) whether French interested; (2) if so, who will head French Del; and (3) if not, whether French would be inclined to support Bech (Luxembourg) as suitable Western European candidate.<sup>1</sup>

MARSHALL

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<sup>1</sup> In telegram 4280, August 18, the Ambassador in France (Caffery) replied: "I discussed with Schuman (Robert Schuman, French Minister of Foreign Affairs) this evening the matter of the president of the forthcoming GA (Deptel 3142, August 16). Schuman said that he preferred not to have a French president. He personally would warmly welcome Bech but would have to talk the matter over with his associates in the government." (501.BB/S-1848)

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501.BC/S-1448 : Telegram

*The Secretary of State to the Embassy in France*

SECRET

WASHINGTON, August 18, 1948—4 p. m.

3182. We are following suggestion last para urtel 4214 Aug 14,<sup>1</sup> and approaching Benelux countries. Please inform French, while we have no objection their further discussion matter Benelux, we would prefer our position not be mentioned by them pending opportunity for us to consult on matter wider basis. For your info Brit have not given us definite indication their thinking, although have implied Norway might become their first choice.

MARSHALL

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<sup>1</sup> Officials at the French Foreign Ministry had expressed a desire to inform the Benelux countries of the United States position regarding the Security Council seat being vacated by Belgium, namely that it was impractical to support the candidacy of Luxembourg for this seat (501.BC/S-1448).

501.BC/8-1948 : Telegram

*The Ambassador in Belgium (Kirk) to the Secretary of State*

SECRET

BRUSSELS, August 19, 1948—5 p. m.

1604. Since Spaak<sup>1</sup> is absent in France on vacation until about 1 September I have discussed subject urtel 1248 August 18 with Baron de Gruben.<sup>2</sup> He felt unable give formal opinion without consulting Spaak but in view delay caused by waiting until September I pressed for his informal views.

He first points out Dutch attitude seems based on feeling their problems will be better presented by nations other than their own. In developing their case in Indonesia for example De Gruben understands Dutch consider SC reaction would be more favorable if no Dutch member were seated thereon. He admits this not wholly convincing reason and suggests further that new Dutch Foreign Minister might also plead inability find suitable personality for SC seat. Agrees these reasons may not stand up and concedes Dutch might accept if urged further.

De Gruben also expresses doubt as whether it will be possible indefinitely to continue northern or western state membership SC pointing out actually this restricted seat to Belgium, Holland, Norway and Denmark—he omits Sweden deliberately. Precedent thus established might easily be resisted by other area groups and he wonders if it is wise make strong play for such continuity.

As to Luxembourg he has heard of no approaches and wonders first of all whether Luxembourg would actually accept to be named. He recalls limited personnel available and doubts if Bech would feel willing undergo such long absences from Luxembourg. As to size etc. under article 23 again De Gruben feels considerable doubt concerning wisdom advancing candidacy Luxembourg and for reasons set forth your paragraph 3.

Norway he thinks preferable to Denmark by reason of her active participation in war on side western powers as contrasted completely negative role Denmark plus same objections your paragraph 3.

Sent Department 1604; repeated The Hague 85.

KIRK

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<sup>1</sup> Paul-Henri Spaak, Belgian Prime Minister and Minister of Foreign Affairs.

<sup>2</sup> Baron Hervé de Gruben, Secretary-General of the Belgian Ministry of Foreign Affairs. Telegram 1248 not printed. It stated the Department's opposition to a Luxembourg candidacy for election to the Security Council (501.BC/8-1848).

501.BC/8-1948: Telegram

*The Secretary of State to the Embassy in Belgium*

SECRET

WASHINGTON, August 21, 1948—3 p. m.

1260. For your further background urtel 1604 Aug 19 in personal discussion we hope you can have with Bech and possibly further talks Bel FonOff, Dept has following comments re de Gruben's observations. Normally Neth might well be considered best qualified candidate. Under present circumstances, however, Dept questions whether it would really be to her best interests to stand, and if she stood if she could be elected. Hence Dept believes any suggestions possibility Neth candidacy should be discreetly discouraged.

Dept surprised de Gruben's comment re possibility area giving up seat. Dept feels under present circumstances would not be desirable for area and not in U.S. interests. We had thought all Western and Northern European states shared this opinion. Even staff member Swedish Del New York spoke strongly on it to US Del.

If possible obtain more official statement Bel attitude prior Spaak's return would be most helpful to Dept.

MARSHALL

501.BC/8-2148

*Memorandum of Conversation, by the Under Secretary of State  
(Lovett)*

SECRET

[WASHINGTON,] August 21, 1948.

Participants: Mr. E. N. van Kleffens, Ambassador of  
the Netherlands

Mr. Robert A. Lovett, Under Secretary of State

Mr. Benjamin M. Hulley, Chief, NOE

Mr. van Kleffens said he had come in to talk with me about the forthcoming choice of a successor to Belgium on the Security Council. His Government had been canvassing the situation and had not found a satisfactory solution. The most likely place to look was among the Scandinavian countries but these had in the last two or three years adopted a vacillating attitude and shown a disposal to throw tidbits to the Soviet Union to offset any actions favoring the Western Powers, so that on the whole a choice of one of these was regarded at The Hague as possibly more favorable to the Soviets than to the Western Powers. His experience with the Norwegian delegate on ECOSOC confirmed this estimate. He mentioned India as a candidate but thought it had troubles enough of its own and would not make a desirable



replacement. He mentioned Turkey as subject to many pressures which would be aggravated if it held a seat on the SC, and Greece was too weak. The Netherlands was not going to put forward a claim for the position or seek it in any way. However, if other nations desired it to have the seat, it would accept.

I told Mr. van Kleffens that the subject had not come to my attention. I talked with Dean Rusk on the telephone to get some background, after which I told the Ambassador that we had been studying the matter but had not come to a decision. Our primary objective would be to retain the seat for a Western European power. Our preference would be the Netherlands, but the brief investigation we had made indicated objections by other countries on the ground that it was a too rapid return of the same power which had held the seat before Belgium; also, the Indonesian problem would be a factor. It was suggested that opposition to the Netherlands might arise from an ill-assorted group of Latin American, Moslem, and Eastern European states which might combine to put India into the vacancy. If it should be clear that the Netherlands' candidacy would not succeed, we had thought of Norway. Mr. van Kleffens agreed that the seat must be held by a Western European state and was sure that his Government would agree to some such state if it became clear that the Netherlands could not be elected. He reiterated his objections to Norway and mentioned that from the equitable viewpoint Norway had been given many international offices whereas none had been given to the Swedes or the Danes. I observed that since April Norway has followed a commendable strong line. I told him that I would be glad to discuss the matter further with Dean Rusk and then talk to him about it the next time we meet.

[ROBERT A.] L[OVETT]

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501.BC/8-2248 : Telegram

*The Ambassador in Iraq (Wadsworth) to the Secretary of State*

CONFIDENTIAL

BAGHDAD, August 22, 1948—1 p. m.

499. Under instructions from Prime Minister <sup>1</sup> (who is also acting Foreign Minister), former Foreign Minister Jamali called on me yesterday evening. He explained that Regent <sup>2</sup> having on August 17 appointed him a minister (top grade) in Iraqi diplomatic service, he had been assigned to special duty in Foreign Office charged with pre-

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<sup>1</sup> Muzahim Al-Pachaji.

<sup>2</sup> Abdul Ilah, Crown Prince and Prince Regent during the minority of King Faisal II.

paring material for and attending as Iraqi delegate all meetings of Arab League and UN organs.

Object of his call was to ask me enquire whether Department is willing in circumstances outlined below to say as of now that it is disposed include Iraq (as successor to Syria) on its list of three candidates for election to SC at September meeting of GAUN:<sup>3</sup>

1. All regional non-Arab states (Turkey, Greece, Iran, Afghanistan, and Ethiopia) are believed willing yield election to an Arab state. Iran already has so declared itself formally to Arab states, and other regional states, together with India and Pakistan, have been or are to be approached in this sense.

2. Arab states desire that Iraq succeed Syria; and Iraq is prepared if elected to resign from TC and support election thereto of any other region state.

3. He, Jamali, has advised Regent and Prime Minister against Iraq candidature unless Department's reply should be "favorable or at least not unfavorable."

I suggested in reply that it might be awkward for US among other states to commit itself to supporting any Arab state for seat on SC when knowing in advance that all Arab states will strongly oppose admission Israel to UN membership.

Jamali commented that "Arab states do not and cannot recognize existence of such a state dominated as it is by terrorism and aggression."

I asked if on basis statements made by his own Prime Minister it was not fair to draw conclusion that if Israel be admitted to UN by two-thirds vote GAUN Iraq would urge all Arab states withdraw from UNO.

Jamali answered that "in any decision on this point it would have to be by collective decision of states members of Arab League and this could not transpire unless and until Arab states should come to conclusion that principles of Charter had been irreparably violated."

Surely, he added, no more effective action could be taken to restore Arab confidence in UNO than for US and other powers to proceed on assumption that no ground will exist for such ultimate decision by Arab League and consequently as in the past to elect Arab states to UNO positions, thus enabling them continue play role as constructive members that organization.

I gathered clear impression that Jamali personally did not believe Arab states would agree "collectively" to withdrawal from UNO. He made particular point of saying that when assuming his new functions he had urged and found Regent and Prime Minister favorably inclined towards early action in pursuance of Tigris-Euphrates develop-

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<sup>3</sup> Reference is to General Assembly of the United Nations (UNGA).

ment master planning discussed with World Bank last fall. This, he felt, should be made Iraq's major policy irrespective of political or military developments in Palestine.

He commented that Arab states had lost heavily during latest phase of Palestine dispute. Consequently they should strengthen themselves and their international position for next phase which would probably be dominated by world tension. In that order of ideas Iraq's fate and future lay in and with Anglo-American cooperation.

Pouched Arab capitals and London.

WADSWORTH

IO Files : US/A/1180

*Memorandum of Conversation, by G. Hayden Raynor, Special Assistant to the Director of the Office of European Affairs (Hickerson)*

CONFIDENTIAL

[WASHINGTON,] August 23, 1948.

Mr. Denis Allen, Counselor, of the British Embassy, called this morning at his request to discuss the following three matters:

[Here follows discussion of the first two items.]

*Evatt's Candidacy for the Presidency*

Mr. Allen then read from a telegram from the Foreign Office instructing the Embassy to ask the United States if we will agree to support Evatt for the presidency. The telegram stated that the British had now made a definite decision to support him and have so told him. The telegram indicated that Evatt had asked the British to approach us in an effort to get their support. The Foreign Office also requested the Embassy to ask if we would be willing to campaign for Evatt in Latin America and that, if so, they would proceed to instruct their Latin American Missions to concert with ours in approaching Latin American states on this question.

I told Mr. Allen that I would raise this matter in the Department in the light of his instructions but that he in effect already knew our general thinking on the question of Evatt's candidacy. I said that I thought there was almost no possibility whatsoever that we would be willing to campaign in Latin America as suggested.

501.BB/8-2448 : Telegram

*The Ambassador in Belgium (Kirk) to the Secretary of State*

SECRET

BRUSSELS, August 24, 1948—6 p. m.

1623. Department's infotel, 17 August, 3 a. m.<sup>1</sup> In course conversation other matters, Bech says he hopes GA will elect this time in

<sup>1</sup> Not printed.



Paris a president who will be European. Thinks repetition a South American inappropriate and is also unfavorable to Middle East or Oriental. . . . Evatt . . . needed at home in Australia. His field narrows down to France which he thinks particularly suitable in reference long session in Paris, prestige for French, larger power now needed in chair. He extols qualities of Schuman who would make ideal president.<sup>2</sup>

As for Luxembourger, reasoning contained in mytel 1622, August 24<sup>3</sup> negatives idea.

Sent Department 1628 [1623], repeated Paris 156.

KIRK

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<sup>2</sup> Marginal notation: "Acted upon by tel — to Paris 8/25". This refers presumably to Department's telegram 3306, August 25, to Paris, *infra*.

<sup>3</sup> Not printed.

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501.BB/8-1848 : Telegram

*The Secretary of State to the Embassy in France*

SECRET

WASHINGTON, August 25, 1948—5 p. m.

3306. For your info Dept distinctly unenthusiastic candidatures GA Presidency Evatt and Arce whose hats only ones in ring thus far. For your info Brit committed support Evatt but reactions number other states negative or unenthusiastic. Also there is strong general feeling outside Latin America to which some Latins even agree, and we share, that Latins have held Presidency too many times and should not receive it this year. Without any solicitation our part have recd several expressions opinion French Presidency would be appropriate. Dept definitely against Latin American President and feels as expressed Deptel 3142<sup>1</sup> very appropriate Paris meeting be chaired by French-speaking Western European. Dept impressed reasoning Bech. (See Brussels' 156 to Paris.)

Will you raise with Schuman again (urtel 4280 Aug 18),<sup>2</sup> suggesting French reconsideration. Points which could be made in your discretion among others which may occur to you include:

(1) Appropriateness French speaking chairman; (2) Graceful occasion to abolish precedent that Presidency should not be held by rep of great power; (3) Useful to French international prestige; (4) Should be helpful to domestic prestige Schuman Govt; (5) In view unsolicited observations we have recd believe good possibility general support French candidate; (6) Might be natural solution which would

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<sup>1</sup> August 16, p. 109.

<sup>2</sup> See footnote 1 to telegram 3142, p. 109.

eliminate bitter fight over Presidency getting Assembly off on unhappy note.

If French reluctance continues, please report their detailed reasons such reluctance with your evaluation thereof.

MARSHALL

501.BB/8-2648 : Telegram

*The Secretary of State to the Embassy in Brazil*

SECRET

WASHINGTON, August 26, 1948—6 p. m.

635. In voting on candidates election UNSC, US has in past supported LA candidates put forward by LA states themselves. Dept has every intention continuing this policy forthcoming GA session. Hope because of current international situation LAs this year will be able present strong candidate which can make substantial contribution to work SC along lines criteria laid down Art. 23 UN Charter. Country like Brazil or Mexico would admirably fill these qualifications.

Convey substance above FonOff and express hope that in considering problem LA states will bear this factor in mind. Report FonOff reaction. Identical tels sent Rio and Mexico City.

MARSHALL

501.BC/8-3148

*Memorandum of Conversation by the Secretary of State*

CONFIDENTIAL

[WASHINGTON,] August 31, 1948.

Participants: The Greek Ambassador  
The Secretary of State  
Mr. Jernegan, GTI

Ambassador Dendramis said that he wished to consult me regarding the possibility of obtaining for Greece the seat on the Security Council which will be vacated by Syria at the end of this year. He said that Greece believed it could obtain the support of some of the Latin American countries, some of the Arab states, and probably Turkey. If it could also obtain the support of the United States and one or two other great powers, it would seek election to the Council. However, the Greek Government did not wish to take any step without being assured of the approval of the United States and he therefore wished to get our informal reaction to the idea.

I said that, speaking frankly, I could tell him we had received a number of requests of this kind and so far had merely been noting them while deferring any decision until a little later. I had not consulted anyone in the Department regarding the Greek request and

was not prepared to give a definite answer at this moment. Speaking offhand and for myself alone, my first reaction was that it might be an embarrassment to Greece to be part of the Security Council at a time when she was a party to an important case before the UN. I did not know whether any state had ever been elected to the Council in such circumstances, and it might not necessarily be an insuperable obstacle. Certainly Egypt and the other Arab states were equally involved in cases now pending. Nevertheless, as a practical matter it could be rather a disadvantage rather than an advantage for Greece to be a Council member while her case was actively under consideration. Mr. Jernegan pointed out, and I agreed, that if Greece were a member of the Council, the eastern European states, especially Yugoslavia, Albania, and Bulgaria, might be even more intractable with respect to the UN than they had shown themselves to be hitherto.

The Ambassador emphasized that he was merely requesting our views for the guidance of the Greek Government. If we were favorably disposed, Greece would seek to persuade Turkey not to put forward its own candidacy but to support Greece. If this were not possible, Greece would ask the Turkish Government to give up its seat on the Economic and Social Council in favor of Greece. Mr. Dendramis asserted in this connection that a tradition had been established in the UN whereby no one of the small nations was to hold a seat on more than one of the major Councils at one time. In conclusion I again told the Ambassador that I was not giving him a definite answer at this time and that the Department would give further consideration to the Greek interest in this matter.<sup>1</sup>

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<sup>1</sup> In a telegram to the U.S. Delegation at Paris on September 24 (Gadel 54), the Department cabled that "Greek Amb has inquired further [September 22; memorandum of conversation, not printed] re possibility our supporting Greek candidacy for Syrian seat SC, mentioning possibility Arab support if Egypt unsuccessful. Dept informing him final decisions on US votes will be made USDel which has full info." (501.BC/9-2448)

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IO Files : SD/A/197

*Department of State Position Paper Prepared for the United States  
Delegation to the General Assembly*

CONFIDENTIAL

[WASHINGTON,] September 1, 1948.

UNITED STATES SLATE FOR THE INTERNATIONAL  
LAW COMMISSION

THE PROBLEM

It will be necessary to determine which fifteen candidates for the International Law Commission the United States Delegation should support.



## RECOMMENDATIONS

1. The United States Delegation should vote for the following fifteen candidates\* on the first ballot:

<i>Primary slate</i>	<i>Secondary Candidates</i>
Shu-shi Hsu (China)	
George Scelle (France)	
James L. Brierly (UK)	
V.M. Koretsky (USSR)	
Manley O. Hudson (US)	
Georges Kaeckenbeeck (Belgium)	J.P.A. Francois (Netherlands)
A.E.F. Sandstrom (Sweden)	
Ljubomir Radovanovic (Yugoslavia)	
Faris Bey El-Khoury (Syria)	Cemil Bilsel (Turkey)
Prince Wan (Siam)	U.E. Maung (Burma)
Jean Spyropoulos (Greece)	
Kenneth H. Bailey (Australia)	
Alberto Ulloa Sotomayor (Peru)	Jesus M. Yepas (Colombia)
Roberto Cordoba (Mexico)	Ernesto Dihigo (Cuba)
Cesar Diaz Cisneros (Argentina)	Gilberto Amado (Brazil)

2. After consideration of the distribution of votes in the first ballot, and taking account of those candidates who have received the necessary majority for election, the United States Delegation should consider whether it is appropriate to shift its vote to alternative candidates or to continue to support the original slate.

3. In the event the Delegation decides it is appropriate to shift its vote in the light of the outcome of the first ballot, the Delegation should cast the vote of the United States for the secondary candidates, in the order of their listing, or for other candidates after consultation with its advisors, in such a way as to preserve the same geographic distribution of the seats on the Commission as in the primary slate.

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\*Subject to any revision of the slate which may be necessary as a result of the elections to the International Court of Justice. [Footnote in the source text.]

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IO Files : SD/A/198

*Department of State Position Paper Prepared for the United States  
Delegation to the General Assembly*

CONFIDENTIAL

[WASHINGTON,] September 2, 1948.

UNITED STATES SLATE FOR THE INTERNATIONAL COURT OF JUSTICE

## THE PROBLEM

It will be necessary to decide which five nominees to the International Court of Justice should be supported by the United States

Delegation to the General Assembly and the United States Representative on the Security Council.

## RECOMMENDATIONS

1. The United States Delegation to the General Assembly and the United States Representative on the Security Council should vote for the following five candidates:

*Primary Slate*

John E. Read (Canada)  
Hsu Mo (China)  
Abdel Hamid Badawi Pasha (Egypt)  
B. N. Rau (India)  
Milovan Zoricic (Yugoslavia)

*Secondary Candidates*

Jean Spyropoulos (Greece)  
Bogdan Winiarski (Poland)

2. After consideration of the distribution of votes in the initial balloting in the Security Council and General Assembly, it should be decided whether it is appropriate to shift the vote of the United States to alternative candidates or to continue to vote for the original slate.

3. In the event the Delegation decides it is appropriate to shift its vote in the light of the outcome of the first or several successive ballots, the vote of the United States should be cast for the secondary candidates or for other candidates after consultation with the advisors of the Delegation.

## COMMENT

1. The present composition of the International Court of Justice includes:

*Term Expires 1955:* M. Jules Basdevant (France)  
H. E. Dr. José Gustavo Guerrero (El Salvador)  
Sir Arnold Duncan McNair (United Kingdom)  
Dr. Alejandro Alvarez (Chile)  
Dr. José Philadelpho de Barros Azevedo (Brazil)

*Term Expires 1952:* Lic. Isidro Fabela Alfaro (Mexico)  
Dr. Helge Klaestad (Norway)  
M. Charles de Visscher (Belgium)  
Mr. Green Hackworth (United States)  
Prof. Sergei Borisovich Krylov (USSR)

*Term Expires 1949:* Dr. Milovan Zoricic (Yugoslavia)  
Mr. John E. Read (Canada)  
Dr. Bogdan Winiarski (Poland)  
H. E. Dr. Abdel Hamid Badawi Pasha (Egypt)  
Dr. Hsu Mo (China)

2. The United States national group of the Permanent Court of Arbitration, acting in accordance with Article 5 of the Statute of the International Court of Justice, nominated four of the five retiring judges: Hsu Mo (China); Badawi Pasha (Egypt); J. E. Read (Canada); and Bogdan Winiarski (Poland). Since it could make only four nominations, it is presumed that the four judges nominated were, in the opinion of the panel, the best qualified.

3. It will be noted that the present geographic distribution of the Court includes the five major powers, four Latin American states, two Western European states, one British Dominion, two Eastern European states, and one Near Eastern state. The choice of B. N. Rau (India), who is not an international lawyer, is based both upon his other outstanding personal qualifications (including the holding of high judicial offices in India) and the desirability of having the Middle Eastern and Near Eastern area more equitably represented on the Court.

4. The choice of the Yugoslav judge is based in part on the present situation in Yugoslavia. It is not believed that the Polish candidate has substantially better qualifications which would indicate his choice. The second Eastern European judge has been dropped from the slate in the interest of more equitable geographic distribution; none of the other preferred United States candidates come from areas with disproportionate representation on the Court.

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501.BC/8-648 : Telegram

*The Secretary of State to the Embassy in Norway*

SECRET

WASHINGTON, September 2, 1948—5 p. m.

425. Deptel 379 Aug 3, urtel 526 Aug 6. After full consideration Dept feels Norway best choice to succeed Belgium SC. Please discuss FonMin prior Stockholm meeting Scandinavian Ministers. Decision based primarily on importance Belgian seat remaining in western and northern European area. Scandinavian country seems best possibility succeeding in election, as Belgium not eligible to repeat, Luxembourg too small, Netherlands candidacy might be unsuccessful due Indonesia and fact that already served one term on Council; among Scandinavian countries Iceland too small, Sweden in Dept's opinion, too disinclined to take stand on issues, Denmark was considered but Norway on balance considered better. If Nor indicate reluctance you should stress duty of states such as Nor to undertake UN obligations even though onerous. Appreciate Nor may be unwilling to make definitive reply until after FonMins meeting in Stockholm.



We understand Brit agree our position and quite likely may make similar representation in Oslo.

MARSHALL

IO Files : US(P)/A/17

*Memorandum for the United States Delegation to the  
General Assembly*

SECRET

[WASHINGTON,] September 3, 1948.

MEMORANDUM OF STAFF CONVERSATIONS BETWEEN CANADA, UNITED  
KINGDOM, [AND] UNITED STATES, AT OTTAWA, AUGUST 30-31, 1948

Subject: Forthcoming General Assembly

Participants: Canada—Mr. L. B. Pearson; Mr. Escott Reid; Mr.  
Jerry Riddell; Mr. E. A. Cote; and others <sup>1</sup>  
United Kingdom—Mr. Gladwyn Jebb; <sup>2</sup> Mr. G. E.  
Boyd Shannon, United Kingdom  
High Commissioner's Office  
United States—Mr. Dean Rusk, Mr. Hayden Raynor <sup>3</sup>

At the beginning of the discussions, Mr. Pearson, Mr. Jebb and Mr. Rusk indicated that the discussions were to be considered informal and not committing the respective governments in any way. It was agreed that a preliminary interchange among the three governments represented would be very useful in working out the final positions which each might take at the forthcoming General Assembly.

The organization of the comments given below follows the outline furnished by the Canadian Representative as an informal agenda:

1. *Organization of the Assembly*

(a) *President.* Mr. Jebb said that the United Kingdom supports Mr. Evatt and has so informed him. Mr. Pearson and Mr. Riddell indicated that Canada had serious reservations about Mr. Evatt and doubted that he could be elected. Raynor and Rusk indicated that we would not favor the election of a Latin American, that we had some reservations about Mr. Evatt, and that we would prefer a French-speaking Western European, if a suitable candidate should come for-

<sup>1</sup> Mr. Pearson was Canadian Under Secretary of State for External Affairs and became Secretary of State for External Affairs on September 10. Messrs. Reid, Riddell and Cote were officers of the External Affairs Department.

<sup>2</sup> Mr. H. M. G. Jebb was British Assistant Secretary of State for Foreign Affairs and Superintending Under Secretary for the United Nations (Political) Department of the British Foreign Office.

<sup>3</sup> Both Messrs. Rusk and Raynor had been designated as Advisers to the U.S. Delegation to the General Assembly; later in the session Mr. Rusk was appointed Alternative U.S. Representative to the General Assembly.

ward. We stated that we were particularly interested in the possibility of a Frenchman but recognized that the present Cabinet crisis would make it difficult to settle upon a Frenchman in the immediate future. Other names raised during the course of discussion were Bech, Romulo<sup>4</sup> (mentioned by Pearson), Arce, Tsiang and Mrs. Pandit,<sup>5</sup> with no strong preference for any of these expressed by any representative. Mr. Jebb indicated that he thought the precedent against a Big Five candidate should be maintained in the absence of special circumstances.

*(b) Committee Chairman*

*Committee I*

It was agreed that a suitable chairman could be found from among Spaak (if available), Padilla Nervo, Tsiang and Van Roijen.<sup>6</sup> It was generally agreed that M. Spaak would be most acceptable if he should find it possible to serve. It was also agreed that the other three names represented entirely competent men for this post.

*Committee II*

It was agreed that Latin America might furnish a chairman for this committee, but no specific names were proposed.

*Committee III*

The possibility of Malik<sup>7</sup> of Lebanon, a Greek, Romulo of the Philippines, or a Pakistani was discussed. There was a general feeling that either Malik or Romulo would be suitable for this particular committee although Mr. Jebb stressed Pakistan and did not seem to "warm up" to Malik.

*Committees IV, V and VI*

The discussion of these three committees overlapped, and was quite inconclusive. There was general agreement that Entezam,<sup>8</sup> of Iran, would be suitable for the chairmanship of either Committee IV or VI. The United Kingdom maintained a preference on Committee IV of Canada with Entezam as second choice, and did not seem to buy our suggestion of a Scandinavian. Canada and the United States argued that Canada (Wilgress) would be much better for Committee V, but Jebb maintained the British position for a Slav and suggested specifi-

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<sup>4</sup> Brig. Gen. Carlos P. Romulo, Permanent Representative of the Philippines to the United Nations; he was to be Chairman of the Delegation of the Philippines to the Third Session of the General Assembly.

<sup>5</sup> Mrs. Vijayalakshmi Pandit, Ambassador of India to the Soviet Union and Chairman-designate of the Indian Delegation to the Third Session of the General Assembly.

<sup>6</sup> Dr. J. H. van Roijen, Netherlands Ambassador to Canada appointed member of the Netherlands Delegation to the Third Session of the General Assembly.

<sup>7</sup> Dr. Charles Malik, Lebanese Minister to the United States and Representative-designate on the Lebanese Delegation to the Third Session of the General Assembly.

<sup>8</sup> Mr. Nasrollah Entezam, Permanent Representative of Iran at the United Nations and Representative-designate on the Iranian Delegation to the Third Session of the General Assembly.

cally Vilfan,<sup>9</sup> of Yugoslavia, who, he argued, was experienced and personally competent. When discussing the possibility of a Slav for Committee VI, the name of Lachs,<sup>10</sup> of Poland, was mentioned. The British did not seem to feel that, as long as the Slavs had two seats on the General Committee, it was vital for them to hold a chairmanship, but we questioned that point of view.

#### *Vice Presidents*

The number of vice presidents would depend upon whether one of the Big Five is elected to the Presidency or a Committee Chairmanship. If not, there would be only two vice presidents, presumably going to a Latin American and a Slav (if they do not receive a Committee assignment). We stressed Romulo. The British stressed Pakistan and Greece.

[Here follows a short discussion of agenda arrangements.]

## *2. Elections*

(a) *Security Council*. It was generally agreed that a strong effort should be made to retain Belgium's seat in Western Europe and that Norway would be the best candidate. Doubt was expressed about the possibility of electing the Netherlands and Luxembourg was considered ineligible because of its size. Mr. Jebb expressed some misgivings about Sweden. It was recognized by all present that India might run a strong race for the seat being vacated by Belgium and that considerable political work would be required to avoid losing that seat from Western Europe. Jebb stated that the United Kingdom had suggested both to India and Pakistan that, in view of present conditions, they might wish to reconsider the wisdom of standing for the Security Council this year.

No final conclusion was reached regarding the seat being vacated by Syria. It was agreed that Turkey would be a suitable candidate and that it should not be supposed that that seat was reserved for an Arab State. Lack of agreement among Middle Eastern countries was noted. With regard to the seat being vacated by Colombia, the scarcity of good candidates was noted by all present. The idea that this seat might revert to Brazil or Mexico received strong support from both Mr. Jebb and the Canadians.

(b) *Economic and Social Council*. Mr. Pearson stated that he assumed China and France would be reelected "automatically" although

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<sup>9</sup> Mr. Joza Vilfan, Permanent Representative of Yugoslavia at the United Nations and appointed Alternate Representative on the Yugoslav Delegation to the Third Session of the General Assembly.

<sup>10</sup> Mr. Manfred Lachs, Director of the Department of Justice in the Polish Ministry of Foreign Affairs and appointed Alternate Representative on the Polish Delegation to the Third Session of the General Assembly.



members of his staff reminded him that Canada did not consider the reelection of the Big Five to the Economic and Social Council as an automatic matter. The great interest of Latin American States in membership in the Economic and Social Council was noted and it was assumed there would be no dearth of candidates for the seats being vacated by Chile and Peru. Mr. Pearson stated that Canada would not refuse to serve if elected but that it did not wish to press its candidacy. In any event, Canada did not wish to be in a position of interfering with the election of India to the Economic and Social Council, particularly if India were not elected to the Security Council. To a lesser extent, Pearson indicated this might also apply to Pakistan (Jebb indicated there was Pakistani interest). We reaffirmed our feeling that we would like to see Canada continue to be a member of the Economic and Social Council. Pearson concluded this aspect of the discussion by stating that the question of Canada's position on this matter would be reviewed by their Cabinet prior to the opening of the Assembly. After noting the possibility of either Belgium or Sweden succeeding the Netherlands, Mr. Rusk pointed out the possibility of reelecting Canada and then electing India in place of the Netherlands. It was agreed that it would be useful to consult India on this membership problem. When Jebb mentioned Sweden as a suitable replacement for the Netherlands, we commented that, while we felt Sweden was entirely qualified for this post, we questioned whether this would be the right year for her election as Denmark would continue on the Council.

(c) *International Court*. Mr. Jebb was not briefed on this particular point. The United States and Canadian Representatives indicated that they felt they could support Mr. Reid [*Read*] (Canada), Su [Hsu] Mo (China) and Rau (India).<sup>11</sup>

[Here follows discussion of political and security subjects and of organizational questions, portions of which are printed elsewhere in this volume.]

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<sup>11</sup> In a follow-up conference in Washington on September 4 with only the British present the question of slates "was discussed only briefly. In answer to our inquiry, however, Mr. Jebb did state that the British were supporting Evatt in more than a nominal manner, bearing in mind considerations such as Commonwealth prestige . . . . There was complete agreement that Spaak was the most desirable candidate for the Chairmanship of Committee 1. At our suggestion the British promised to attempt to ascertain whether Spaak was in fact readily willing to take this assignment." (Memorandum of conversation, September 4, 1948, IO Files, document US(P)/A/16)

501.BC/9-348 : Telegram

*The Ambassador in Mexico (Thurston) to the Secretary of State*

SECRET

MEXICO CITY, September 3, 1948—8 p. m.

1061. Foreign Minister stated tonight, after expressing appreciation of friendly and other implications of Deptel 847, August 26<sup>1</sup> that Mexico is not interested in election to UNSC. He stated some restlessness has become apparent on part of other Latin American states over repeated occupation by larger Latin American states of important UN posts. He added that Mexico's principal aspiration at moment is to obtain place on Economic and Social Council at expiration her present term on Trusteeship Council.

THURSTON

<sup>1</sup> Not printed.

501.BC/8-2248 : Telegram

*The Secretary of State to the Embassy in Iraq*

SECRET US URGENT

WASHINGTON, September 3, 1948—6 p. m.

319. Reurtel 499, Aug. 22. 1. Possible successor to Syria on SC has been receiving close attention Dept for several weeks. No conclusive results as yet. Dept finds Jamali statement that Arab states desire Iraq succeed Syria and his belief that most Near Eastern states are willing to yield to an Arab state at variance with info received from other sources.

2. For your info Faris Bey El-Khoury<sup>1</sup> informed Ross, USUN Aug 26 that Middle East would support Egypt to succeed Syria. On Aug 27 Fawzi Bey<sup>2</sup> in conversation with Sec clearly inferred Egypt's candidacy. Sec made no commitment other than to say that we were carefully considering question. He did observe that US would have to take into account fact Egypt was directly involved in two matters on SC agenda (Anglo-Egyptian question and Palestine case).<sup>3</sup>

3. On Aug 5 Sarper (Turkey) informed J. E. Johnson,<sup>4</sup> USUN that he had been promised support of Greece, Iran and Afghanistan for Turkey's candidacy for SC. He also said he had reason to believe

<sup>1</sup> Permanent Representative of Syria at the United Nations; Chairman-designate of the Syrian Delegation to the Third Session of the General Assembly.

<sup>2</sup> Mahmoud Fawzi Bey, Permanent Representative of Egypt at the United Nations and Representative-designate on the Egyptian Delegation to the Third Session of the General Assembly.

<sup>3</sup> Documentation on these matters is scheduled for publication in volume v.

<sup>4</sup> Dr. Joseph E. Johnson was one of the ranking members of the United States Mission at the United Nations, being Deputy U.S. Representative on the Interim Committee of the General Assembly.

that Arab group might support Turkey. Both Faris Bey and Fawzi Bey however have said within past week that since Turkey is on ECO-SOC there is no reason to support her for SC. Finally Greek Amb here sounded out Dept Aug 30 on possible Greek candidacy. He maintained Greece had been assured support several Arab and Latin American countries.

4. Prior to last 10-day period Dept had no indication that Arab states were interested in obtaining SC seat. Accordingly Dept's thinking until receipt urtel 499 and info described above from New York had centered on Turkey or India as possible successor to Syria with preference toward Turkey for SC and India for ECOSOC. In light changing developments matter will now have to be reviewed.

5. In general US would be disposed support candidate which had backing majority states in area unless there were compelling political reasons to do otherwise. At present Dept is not able regard Iraq's candidacy for SC as favorably as that of Turkey or India, particularly in light fact that contrary to what Jamali has told you Iraq does not seem to have support Arab or regional non-Arab states. Under present circumstances with Iraq on Trusteeship Council and in view Iraq's militant stand on Palestine question Dept would be less favorably disposed to her candidacy than to others.

6. It is suggested you inform Jamali that US has not made up its mind whom it will support. In general we have attempted support states who have backing preponderance states in particular area.

7. Requested you and missions Athens, Ankara, Damascus and Cairo discretely endeavor learn what nation seems have support Arab and non-Arab countries in Middle Eastern area.<sup>5</sup>

MARSHALL

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<sup>5</sup> Sent also to Athens (telegram 1275), Ankara (telegram 457), Cairo (telegram 1215), and Damascus (telegram 340); repeated to New York as telegram 573.

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501.BB/9-348: Circular telegram

*The Secretary of State to the Diplomatic Missions in the  
American Republics*

CONFIDENTIAL

WASHINGTON, September 3, 1948—3 p. m.

In considering possible candidates for Presidency Third Regular GA Session, Dept has concluded that, since (a) one Latin American (Aranha) presided over both first special and second regular GA sessions; (b) another Latin American (Arce) held Presidency 2d Special Session; and (c) third Latin American (Padilla Nervo) presided over Interim Committee, it would not be appropriate to support a Latin American for President forthcoming session.



Dept understands Evatt (Australia) and Arce (Argentina) are considering offering themselves as candidates for GA Presidency. For reasons indicated above, we believe Latin American States will agree that we should find a suitable candidate from outside Latin America. Some doubt exists whether Evatt will actually continue to press his candidacy or whether he would be elected, partly because of some lack of enthusiasm about his handling of the *Ad Hoc* Committee on Palestine last year and partly because it may be necessary for him to attend Brit Commonwealth Conference which meets for approximately three weeks in London in Oct.

Location of GA in Paris has led us to feel that French-speaking Western European might be most appropriate GA President. We understand Spaak is probably not available; Bech (Luxemburg) appears possibility; Chairman, French Delegation (not yet designated) should not be ruled out of consideration. In absence good French-speaking European candidate, Dept inclined toward neutral attitude on GA Presidency. If Latin America and Western Europe are eliminated, we believe there might be considerable interest in an Asiatic candidate; thus far we have heard the names Tsiang, Romulo and Mrs. Pandit as possibilities.

Discuss substance above with FonOff, making following points: (a) our views re LA candidate; (b) our general preference for French-speaking Western European if suitable candidate can be found, (c) otherwise generally neutral attitude. Report reactions soonest.<sup>1</sup>

MARSHALL

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<sup>1</sup> Telegram received from the capitals of the other American Republics over a period of approximately 10 days, not printed; they are found in the 501.BB file. In general, there was a division between those governments which indicated support of the U.S. position and those that had a preference for or felt they should support a candidate from their area.

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501.BB/9-748 : Telegram

*The Acting United States Representative at the United Nations  
(Jessup) to the Secretary of State*

SECRET

PARIS, September 7, 1948—7 p. m.

Delga 1. RefDeptel 3306 of August 26 [25] and my telephone conversation with Rusk today, have conferred with Ambassador Caffery regarding question of French presidency of GA. Understand Schuman definitely would not serve and French Government has no desire for position. It is possible that if US presses hard, it might be arranged that Marie<sup>1</sup> would accept but in Ambassador's opinion, because of French reluctance, this would require considerable campaign

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<sup>1</sup> André Marie, French Prime Minister from about July 26 to August 28, 1948.

on our part to secure the appropriate support for Marie. In my opinion, under these circumstances, it would be preferable to drop attempt to secure French president and make best of bad bargain by throwing full support behind Evatt thus obtaining as much of his good will as possible. In view plans for discussions in Netherlands, Belgium and Luxembourg, Thursday, Friday and Saturday, and with Evatt possibly Monday in London, urgently request instructions on Department's view. Assume Department advising Douglas <sup>2</sup> our pending visit to London.

I understand from telephone conversation this afternoon with Baruch <sup>3</sup> at The Hague that Dulles <sup>4</sup> on his recent visit discussed GA items with Dutch officials. Any background we can have on these talks would also be much appreciated.

JESSUP

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<sup>2</sup> Lewis W. Douglas, Ambassador to the United Kingdom.

<sup>3</sup> Herman B. Baruch, Ambassador to the Netherlands.

<sup>4</sup> John Foster Dulles; appointed a Representative on the U.S. Delegation to the Third Session of the General Assembly; adviser on foreign affairs to the Republican Party nominee for President of the United States (1948), Mr. Thomas E. Dewey.

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501.BC/9-848 : Telegram

*The Ambassador in Iraq (Wadsworth) to the Secretary of State*

SECRET

BAGHDAD, September 8, 1948—11 a. m.

520. ReDeptel 319, September 5 [3]. Reference successor to Syria on SC, Jamali informs me as follows:

As result Prime Minister's recent political discussion other Arab capitals, Iraq Govt position has been "modified".

All Arab states want an Arab state to succeed Syria. Their preference will be decided at ILPC [ALPC] meeting Alexandria this week. Egypt is favored. Iran's concurrence stands (as reported mytel 499 August 22), Pakistan concurrence has now been received.

Only indication India's attitude was given by Mrs. Pandit in conversation with Syrian Minister to Moscow when she asked Arab support for India candidacy. Syrian Govt answer was that Arab states would be happy support India if India would support an Arab state.

Arab states have also gained impression Turkey will support an Arab state if only in recognition strong Arab support given Turkey candidacy for ECOSOC last fall.

Copies by pouch to Athens, Ankara, Cairo, Damascus.

WADSWORTH

501.BB/9-848 : Telegram

*The Secretary of State to the Embassy in France*<sup>1</sup>

SECRET

US URGENT

WASHINGTON, September 8, 1948—7 p. m.

NIACT

3501. For Jessup. Dept agrees under present circumstances idea French presidency should probably be dropped, especially if Spaak, as Kirk believes, willing to take chair Committee 1. If Spaak agreeable chairmanship Committee 1, Dept would wish to support him. Re Evatt's candidacy for presidency, Dept does not wish to make advance commitment on GA presidency; in absence of strong alternative candidate, Dept would be disposed to vote for Evatt but would not wish to campaign for him or for anybody else.

Dept has no info Dulles-Hague GA conversations. Raynor discussed briefly main items with van Roijen Ottawa along line info you have. This discussion disclosed no specific Dutch views but added up to impression Dutch as usual will support our positions on key political questions.

MARSHALL

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<sup>1</sup> Repeated to Brussels as telegram 1319 and to The Hague as telegram 424. In telegram 1320 to Brussels, September 8, 7 p. m., the Department recapitulated the substance of this telegram and said further: "In view Spaak's domestic and other international responsibilities Dept does not wish press him take Chairmanship Committee 1 but believes he would be best possible choice and that if it is known he is willing to serve Dept believes he would receive wide and enthusiastic support. In your discretion you may wish speak further with Spaak re this point . . . ." This telegram was repeated to Paris as 3502. (501.BB/9-748)

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501.BC/9-848 : Telegram

*The Ambassador in Norway (Bay) to the Secretary of State*

SECRET

OSLO, September 8, 1948—11 p. m.

588. Deptel 425, September 3 [2]. I questioned Foreign Minister yesterday regarding Norwegian attitude toward acceptance seat on Security Council. Lange replied matter had been discussed and that government had reached decision to accept seat. It is probable Lange will make gesture of informing Unden and Rasmussen in Stockholm of Norwegian intention but there is no indication that Lange anticipates any objection from Sweden or Denmark.

Subsequent to Embtel 526, August 6, Counselor discussed matter with Secretary-General Foreign Office, who intimated Norwegians had reluctantly made up mind to accept seat despite added burden and personnel difficulties. He said British had already approached them along the lines Deptel 425, September 3 [2].

BAY



501.BB/9-1048 : Telegram

*The Secretary of State to the Embassy in France*

CONFIDENTIAL

WASHINGTON, September 10, 1948—5 p. m.

3546. For Jessup. You may inform Romulo and others US supporting his candidacy for GA Vice-President.<sup>1</sup>

MARSHALL

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<sup>1</sup> This cable ended several weeks of memorandum-writing in the Department of State as to how and for what United States support should be given to General Romulo at the Third Session of the General Assembly. There were elements in the Department who favored strongly a Romulo candidacy for the presidency of the General Assembly.

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501.BB/9-1048 : Telegram

*The Ambassador in Belgium (Kirk) to the Secretary of State*

SECRET

BRUSSELS, September 10, 1948—9 p. m.

1704. From Jessup. Visits at Hague September 9 and 10 and at Brussels September 10 accompanied by Ross.<sup>1</sup> Discussions with De Beus<sup>2</sup> and Lovink (Secretary General Foreign Office) at lunch September 9 and with Foreign Minister Stikker and Van Royen September 10 a. m. In Brussels had hour's conference with Spaak. In both Hague and Brussels every facility afforded and perfect arrangements made through Ambassador Baruch and Kirk and their staffs. Following comments on various General Assembly items:

1. Presidency of GA.

Stikker said Evatt is coming to see him next week but Stikker is uncertain what he will say to Evatt. Feels embarrassment regarding Australian stand on Indonesia but thinks Evatt inevitable choice since agreed the French are not available but Dutch remain unenthusiastic. Spaak believes Evatt is only possible choice and he will support him but also without enthusiasm.

2. Chairmanship Committee One of GA.

Deptel 1320 September 8<sup>3</sup> not available until I arrived Brussels. No definite Dutch view obtained but it is clear they would support Spaak with whom Stikker conferred September 9 Brussels. Stikker reported to us that Spaak planned to be in Paris during most of GA. Spaak still insisted that he is not at all a candidate but he would accept although he remarked that he might be equally useful from his

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<sup>1</sup> John C. Ross, Deputy to the United States Representative at the United Nations (Austin).

<sup>2</sup> J. C. de Beus, Netherlands diplomat assigned to the Permanent Delegation of The Netherlands at the United Nations and appointed an Alternate Representative on The Netherlands Delegation to the Third Session of the General Assembly.

<sup>3</sup> See footnote 1, p. 129.

seat as a Belgian delegate. He could not promise to be in Paris every single day for three months but he could fly back and forth from time to time as situation in Brussels required. He stressed desirability of having suitable vice chairman of this committee who could serve if he were called back to Brussels suddenly during session. He mentioned MacEachen Uruguayan Ambassador at London and Freitas-Valle Brazilian Ambassador-designate to Spain as suitable candidates. We inquired his view regarding Padillo Nervo whom he thought acceptable but not as good as others. Spaak suggested Lange of Norway but agreed it would be difficult elect both chairman and vice chairman from west Europe. My impression is Spaak knowing the problem thoroughly and being honest with himself and with us would stay on job and believe he could carry out duties if called upon. If Department desires us follow this matter with delegates in Paris particularly those from Latin America, request instructions especially on vice chairmanship.

### 3. Seats on Security Council.

De Beus on Thursday indicated Netherlands receptive to securing Belgium's seat on SC and very doubtful whether Norway would be suitable in view of its voting record especially in G.A. Stikker September 10 made very clear Dutch desire for seat frankly indicating their need for support in the SC on Indonesian question.<sup>4</sup> Van Royen who had just reached Hague and who had not seen Stikker before joining us in our conference with him developed this theme in Stikker's presence saying that Dutch considered obtaining this seat "a matter of first national importance". From angle of national import he with Stikker's concurrence stressed reliance on Belgium hitherto in SC on Indonesian question and reiterated doubts concerning Norwegian attitude. From international standpoint they stressed the doubtful character of reliance on Norway on any issues. We stated our reasons for favoring Norway but indicated we had not reached final decision. We pointed out objections in other delegations to giving a semi-permanent seat to Belgium and Netherlands, and indicated possible drive by Middle East and Far East countries to secure Belgium's seat for India unless strong west European candidate presented. Stikker said the Dutch would not press their candidacy if this would mean assisting India to get on or losing the seat to western Europe. Stikker closed on this point by saying it was squarely up to US to decide whether Netherlands should receive the seat. Spaak said he would be embarrassed if Dutch are candidates and he was hardly in position to advise them not to seek the seat. Spaak recognized force of our arguments but also

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<sup>4</sup> For documentation on this subject, see vol. VI, pp. 57 ff.

indicated it was up to US to make the decision. He himself aside from Dutch complication leans towards Norway and did not himself express the fears which Dutch had voiced concerning Norwegian stand. Regarding Syria's seat Spaak thought that India and Pakistan might alternate on ECOSOC and SC but agreed that present Kashmir and other troubles made both these states poor candidates for SC this year. He told us he was informed Turkey would not accept SC seat because her position was too delicate. On our suggestion of reference of India item for study of geographic distribution of SC seats De Beus enthusiastically agreed on value of IC reference.<sup>5</sup>

#### 4. ECOSOC seat.

Spaak recalled that when Belgium resigned in favor of the Netherlands in elections in GA in 1946 it was in expectation that Belgium would be elected to ECOSOC in 1948. He definitely asked for US support for Belgium this year. He had heard that we were favoring Sweden and thought that if Norway were also on SC this would be "a little too much".

[Here follows discussion of matters placed on the agenda of the impending session of the General Assembly.]

[Jessup]  
KIRK

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<sup>5</sup> This refers to a proposal that the India item be referred to the newly-established Interim Committee of the General Assembly, for study and recommendation by the Interim Committee to the General Assembly.

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501.BB/9-1048 : Telegram

*The Secretary of State to the Acting United States Representative  
at the United Nations (Jessup), at Paris*

CONFIDENTIAL

WASHINGTON, September 10, 1948—8 p. m.

3564. In cirtel Sept 3 to US Missions in other American Republics Dept reviewed situation re GA Presidency and asked FonOffs be informed our opposition any LA candidate, general preference for Western European, and neutral attitude if no suitable French-speaking Western European found. Cirtel implied we had doubts re Evatt.

View changed circumstances (Deptel 3501, Sept 8), suggest you raise matter in your discretion LA Dels. State now little possibility strong French or other Western European candidate available. US not making any advance commitment Presidency. In absence strong alternative candidate, US disposed vote for Evatt but not campaign for him or anyone else.

Inform LA Dels also (a) our feeling Spaak would be best possible choice Chairman Comm 1 if he agrees serve; (b) US strongly support-



ing Norway to replace Belgium SC and hopes other LA states will do same. Make clear our choices do not affect our support usual number LA candidates for UN Councils and three posts on GC of GA.

MARSHALL

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501.BB/9-1848 : Telegram

*The Ambassador in France (Caffery) to the Secretary of State*

SECRET

PARIS, September 18, 1948—2 p. m.

4894. Schuman told me this morning definitely that the French do not want the presidency of the General Assembly and they will probably support Evatt.

CAFFERY

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IO Files : US(P)/A/8

*Memorandum of Conversation, by Mr. John Foster Dulles of the United States Delegation to the General Assembly*

CONFIDENTIAL

[PARIS,] September 19, 1948.

Participants: Dr. Evatt, Australian Delegation  
Mr. Atyeo, Australian Delegation  
Mr. John Foster Dulles, United States Delegation

Dr. Evatt and Mr. Atyeo came to see me at the Crillon on September 19, at 3 p. m. Evatt, as a preliminary, intimated that from what he had heard of the United States program as regards Greece, Korea, etc., it seemed reasonable.

The discussion then turned to the presidency of the Assembly. I told Evatt, as I had been authorized, that

- (1) as matters now stood we contemplated voting for him;
- (2) we were not prepared to campaign for him;
- (3) we did not look with favor upon a Latin American bloc vote in favor of a Latin American candidate and were prepared actively to oppose that;
- (4) he could, if he wanted to, say that he understood that as matters now stood the United States felt disposed to vote for him.

Evatt said that he appreciated this statement of our attitude which he thought satisfactory and reasonable. He thought the greatest danger was that the Latin American states, caucusing tomorrow, might unexpectedly agree to back a Latin American candidate and get for him the support of the Arab bloc and the Soviet bloc. He hoped that if the United States as I indicated, was against this, we would make our influence felt for the Monday caucus as afterwards might be too late as was the case last year.

IO Files: US(P)/A/4

*Memorandum of Telephone Conversation, by Mr. John C. Ross,  
Deputy to the United States Representative at the United Nations  
(Austin)*

CONFIDENTIAL

[PARIS,] September 20, 1948.

Participants: Mr. Andrew Cordier, Executive Assistant to the Secretary-General  
Mr. John C. Ross, United States Delegation

I telephoned Cordier this morning to check with him on latest information on above subject.

1. He told me Evatt has the inside track clearly for the Presidency. The Latin Americans were talking about a candidate but he did not see that they had strength enough even in their own ranks to put one over.

2. Cordier said Spaak clearly is out in front for the Chairmanship of Committee 1. I raised with Cordier the question of whether the Latin Americans might not make a strong drive for this Chairmanship if they conceded to Evatt on the Presidency. Cordier thought that they could not muster enough strength. Furthermore, he went on, the Latin American Delegation list was pathetic. They had very few strong people. He mentioned Santa Cruz, Nervo, Stolk and Muniz as being probably the strongest on the list he had seen so far.

3. Cordier said he thought it would be essential to give one Vice-Presidency at least to an Eastern European and one to a Latin American. He said it would be essential to give three General Committee posts to the Latin Americans; this would mean one Vice-Presidency and two Committee Chairmanships. It would also be essential to give a total of three General Committee posts to Eastern Europe. In addition to the U.S.S.R. this would mean one Vice-Presidency and one Committee Chairmanship.

4. I informed Cordier that Romulo had asked our support for one of the Vice-Presidencies and we had informed him we would support him.

5. I told Cordier that we tentatively had Entezam or Malik on the list for Committee 3. He thought either of these would be good.

6. I told Cordier we favored Wilgress for Committee 5. Cordier said he thought Wilgress would be good for this but he had not been able to find out if he would be available. I told him I understood that the Canadians had informed Dean Rusk that they would make Wilgress available for this post.

7. I said we tentatively were considering an Eastern European for Committee 6. Cordier said he thought this might work and mentioned the name of Vilfan.

I told Cordier that we definitely did not want to get into the business of campaigning. We felt, however, that coordination was very important and that he might well be, in our opinion, the most neutral and objective coordinating center. With this in mind, I said we would try to keep him fully informed of our views and any information we might pick up. Cordier said that he would welcome this cooperation and thought that we should continue exchanging views and work toward a general crystallization of a firm slate before the elections get underway.

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IO Files : US(P)/A/2

*Memorandum of Conversation, by Mr. Walter Washington of the  
Advisory Staff of the United States Delegation*

CONFIDENTIAL

[PARIS,] September 20, 1948.

Participants: Joaquin Fernandez, Chilean Ambassador  
Mr. John Foster Dulles, United States Delegation  
Dr. Frank P. Corrigan, United States Delegation

Ambassador Fernandez stated that he had come to see Secretary Marshall. He was, however, glad to transmit his message to Mr. Dulles in the absence of the Secretary. He stated that he represented the Latin American Delegation who, this morning, had a two hour session together.

The caucus decided that the participants would support a French candidate for the presidency of the Assembly if one were put forward by the French Delegation. Lacking a French candidate they would support Señor Bramuglia of Argentina. The latter decision was made after Señor Bramuglia had said that he thought it would be better not to have a Latin American president, but the Brazilian Foreign Minister, Fernandes, made a strong speech in which he advocated the candidacy of Bramuglia, and this resulted in the aforementioned decision.

If Señor Bramuglia's candidacy does not seem to be succeeding, the Latin American countries, in the interest of harmony, will vote for Mr. Evatt of Australia . . . .

A committee composed of the representatives of Argentina, Brazil, Chile, Ecuador, Peru and Cuba was formed to consult the other Delegates to the Assembly. The Chilean was commissioned to inform the United States Delegation and the French Delegation of the results of the caucus. The Argentina representative will talk to the Arabs. There will be a meeting of this committee at 6:30 this evening in the room of Señor Bramuglia at the Hotel Prince of Wales. Afterwards there will be a plenary meeting of the Latin American Delegates.



Mr. Dulles told Señor Fernandez that the United States, although it does not oppose any Latin American candidate from a personal point of view, feels it would be better if someone other than a Latin American were elected president of this Assembly. He stated that the United States Delegation would vote for Mr. Evatt of Australia.

Señor Fernandez then went on to say that the Chilean Chancellory would like to have United States support in obtaining one of the following posts in order of preference:

1. Membership in the Economic & Social Council
2. A Vice Presidency
3. Membership in the Security Council.

WALTER WASHINGTON

IO Files : US(P)/A/12

*United States Delegation Working Paper*

CONFIDENTIAL

[PARIS,] September 21, 1948.

REVIEW OF SLATES SITUATION

1. As the first plenary session held on September 21, Mr. Evatt<sup>1</sup> of Australia was elected as President on the second ballot, and the following committee chairmen were also elected:

Committee I	Spaak (Belgium)
Committee II	Santa Cruz (Chile) (2nd ballot)
Committee III	Malik (Lebanon)
Committee IV	Entezam (Iran)
Committee V	Wilgress (Canada)
Committee VI	Alfaro (Panama) (2nd ballot)

2. Upon the conclusion of the elections for Committee chairmen, M. Spaak, supported by Sir Hartley Shawcross of the United Kingdom, suggested that the meeting be adjourned in order to give delegates time for consultations with regard to the election of the seven vice-presidents, in accordance with the terms of Rule 27 of the Rules of Procedure, which states that "the vice-presidents shall be elected, after the election of the chairmen of the six main committees . . . on the basis of insuring the representative character of the General Committee".

3. The seven members of the General Committee elected on September 21 include two representatives of the British Commonwealth, two Latin Americans, two Near and Middle Eastern representatives, and one western European. In accordance with the usual practice, the

<sup>1</sup> Mr. H. V. Evatt was elected President of the General Assembly; for the proceedings on September 21, see United Nations, *Official Records of the General Assembly, Third Session, Part I, Plenary Meetings*, pp. 23-24. (Hereafter cited as GA (III)/1, *Plenary*.)

United States would be expected at the next plenary session to vote for the principal delegates of the Five Major Powers as vice-presidents. The Delegation has also been committed to vote for Romulo (Philippines) and Mr. Padilla Nervo (Mexico) as the sixth and seventh vice-presidents. The objective of the Spaak-Shawcross maneuver of postponing the election of the vice-presidents is to secure one vice-presidency for an eastern European state in addition to the Soviet Union. This is desirable because the eastern European bloc, which originally held three seats on the General Committee, is now in danger of being reduced to a single seat. If this should occur, the eastern bloc might claim that it is being pushed out of active participation in the direction of General Assembly affairs.

4. The United States has been planning for a General Committee in which the Soviet Union and an additional eastern European state would be represented. The Delegation voted for the candidate of Eastern Europe, (Prochazka of Czechoslovakia) for the chairmanship of Committee VI. Although we are committed to Padilla Nervo, M. Spaak has undertaken to determine whether we cannot be released from our commitment to Padilla Nervo for the vice-presidency in order to find a place for an eastern European state. This would reduce the Latin American representation on the General Committee to two seats. M. Spaak will apparently attempt to convince Padilla Nervo that he should run for the vice-chairmanship of Committee I rather than for a vice-presidency, in order that active control of that Committee may be in good hands while M. Spaak is absent from Paris.

*Recommendation:* That the Delegation honor its commitments to Messrs. Romulo and Padilla Nervo unless M. Spaak succeeds in securing a release from one of those commitments, presumably the commitment to Padilla Nervo. In this case, however, the Delegation would support an eastern European candidate for the last remaining vice-presidency.

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IO Files : US(P)/A/21

*United States Delegation Position Paper*

SECRET

[PARIS,] September 22, 1948.

UNITED STATES STATES FOR THE SECURITY COUNCIL AND THE ECONOMIC  
AND SOCIAL COUNCIL

THE PROBLEM

Within the next few days the General Assembly will elect three non-permanent members of the Security Council and six members of the Economic and Social Council, to replace members whose terms expire at the end of 1948. A two-thirds majority of those present and voting is required for election.

## RECOMMENDATION

## 1. Security Council

The United States should support the following candidates:

To replace Belgium: Norway

To replace Colombia: Brazil, subject to the condition that the United States would be disposed to support the Latin American state on which the Latin Americans themselves have agreed. Cuba is pressing its candidacy and appears to have some Latin American support.

To replace Syria: Turkey has been our preferred candidate but does not appear to have succeeded in gaining widespread support. Egypt is said to have the support of the Arab League.

## 2. Economic and Social Council

France and China to be supported for re-election, in accordance with the informal understanding that the five Major Powers should always be represented on this Council.

To replace Chile and Peru: The United States would be generally disposed to support two Latin American candidates selected by the Latin American States themselves.

To replace Canada: India

To replace the Netherlands: Belgium

*Note:* Current membership of the Security Council and the Economic and Social Council is indicated in the attached annex.

## Annex

## TABLE

PRESENT MEMBERSHIP ON UNITED NATIONS COUNCILS AND PRELIMINARY  
SUGGESTIONS ON UNITED STATES SLATES*Present Membership**Security Council*

## Permanent Members:

China

France

U.S.S.R.

U.K.

U.S.



## Non-Permanent Members:

Term Expires December 31, 1949:

Argentina

Canada

Ukrainian S.S.R.

Term Expires December 31, 1948:

Belgium

Colombia

Syria

*Economic and Social Council*

Term Expires December 31, 1950:

Australia

Brazil

Denmark

Poland

U.S.S.R.

U.K.

Term Expires December 31, 1949:

Byelorussian S.S.R.

Lebanon

New Zealand

Turkey

United States

Venezuela

Term Expires December 31, 1948:

Netherlands

Canada

Chile

China

France

Peru

IO Files: US(P)/A/M/(Chr)/2

*Minutes of the Second Meeting of the United States Delegation,  
Paris, Hotel d'Iéna, September 22, 1948, 9:15 a. m.*

## SECRET

[Here follow list of persons (30) present and discussion of the Delegation's press policy.]

2. *Review of States Situation* (Mr. Rusk)

After noting the generally successful (from the standpoint of the United States) results of the elections on September 21, Mr. Rusk explained that the seven vice presidents of the Assembly remained to be elected. Normally the Five Major Powers were elected as a matter of course, and the United States had already committed itself to vote for Romulo (Philippine Republic) and Padilla Nervo (Mexico) for the two remaining vice-presidencies. Since the Assembly had failed

to elect an Eastern European chairman of Committee VI, if the election of vice-presidents followed the United States slate above, the USSR alone would have a seat on the General Committee. It was noted that the Soviet group claimed three seats on the General Committee and that in the past it has not had fewer than two. Mr. Rusk said that Malik (USSR) had been told that we had supported the Czech candidate for the chairmanship of Committee VI. He explained further that the motion by Spaak for adjournment of the session yesterday was based on the hope of working out further representation for the Eastern European group on the General Committee. M. Spaak planned to approach Padilla Nervo and ask him to become a candidate for vice-chairman of Committee I, a post in which he would have considerable important work to do since Spaak, chairman, will not be able to remain in Paris continuously. Mr. Rusk said the present recommendation of the staff was to the effect that we should not break our commitments to vote for Romulo and Padilla Nervo but should let Spaak handle the situation. If he were unsuccessful, then we would simply vote in accordance with our commitments.

Mr. Dulles said he had a telephone call from Denver in which concern has been expressed regarding the results of the elections yesterday. He thought the present situation might hold serious psychological danger and be subject to unfortunate interpretations. Mr. Thorp noted that a similar situation had come up in ECOSOC at its last session when the Eastern European group lost some seats in the elections for the functional commissions and the Soviet representative then immediately charged the United States with lobbying against the Eastern European states when, in fact, the United States had done no lobbying at all; the Delegation should accordingly be prepared to face such a charge at the Assembly if the Eastern European candidate were defeated. Mr. Jessup said that he had told Malik (USSR) that we had favored the Eastern European candidate for Committee VI; that we had previously made commitments to two candidates for vice-presidencies in the expectation that an Eastern European state would be elected a committee chairman; and that it would be necessary to review the whole situation during the postponement. Mr. McKeever suggested that it might be possible to forestall any attack on the United States by simply telling the press that we had voted for the Czech candidate for Chairman of Committee VI and also who our candidates for vice-presidents are.

Mr. Rusk suggested that it might be appropriate for the United States to indicate to Padilla Nervo its sympathy with Spaak's proposal that he accept the vice chairmanship of Committee I and withdraw his candidacy for vice president. Mr. Raynor also favored

an approach by the United States to Padilla Nervo along this line. Mr. Rusk noted that of course, if the votes on the first ballot were scattered, the United States could consider dropping Romulo from its slate.

Ambassador Austin explained that he had told Katz-Suchy (Poland) that we had voted for the Czech candidate for chairman of Committee VI, and that the Delegation had commitments respecting the vice presidencies which would have to be reviewed in the light of developments after the adjournment. The Secretary agreed that it would be appropriate to tell the press and other delegations that we had supported a Czech for Committee VI but questioned whether anything should be said regarding our candidates for vice-presidents.

Mr. Thorp proposed that on the first ballot for vice president the United States vote not for itself, since its election is certain in any case, but for an Eastern European candidate. This would have the effect of ensuring enough votes for an Eastern European candidate to guarantee its inclusion on the next ballot, at which time the Delegation should review the situation. Mr. Cohen agreed with this suggestion.

Mr. Dulles asked what limited the number of vice presidents to seven and wondered whether there was anything worth exploring, perhaps looking toward an increase in the number of vice presidents. It was explained that the number of vice presidents was established in the Assembly rules of procedure. Mr. Dulles suggested that if the Eastern European candidate loses in the election of vice presidents, the United States might move an amendment to the rules of procedure to increase the number of vice presidents. He believed that the United States might simply ask for a suspension of the rules of procedure to provide for the election of a third vice president from Eastern Europe. It was noted that the rules of procedure could be amended by a majority decision. Mr. Austin pointed out that as a parliamentary body the Assembly controlled its own procedure and could always act by unanimous consent; he therefore suggested that the rules might be suspended and the third vice president elected by unanimous consent. Mr. Cohen agreed that, if there were no objection, the Assembly could proceed in this manner by a suspension of the rules of procedure. Mr. Rusk noted that the rules of procedure did not mention action by unanimous consent.

Returning to Mr. McKeever's suggestion, Dr. Corrigan stated that he believed there would be unfortunate reactions among the Latin American Delegations if we were to announce publicly that we had not supported Alfaro (Panama) for chairman of Committee VI. He did not think enough was to be gained by the contrary strategy of



appeasing the Eastern Europeans by making public our support for the Czech candidate to balance the danger to Latin American good will. Mr. Rusk, however, noted it was more dangerous not to have it known that we actually voted for an Eastern European state for this post. Mr. McKeever asked whether he could tell the press, when questioned, exactly how the United States had voted for each post and it was agreed that he should give such information to the press. The Secretary stated the Delegation's agreement that the press should be informed of our support for the Czech candidate for Committee VI but that no information be given out regarding our preferred candidates for vice presidents until further information was available.

Mr. Jessup suggested that we might start pushing the idea that the Interim Committee should study the whole question of voting procedures in the Assembly in order to work out the means by which difficulties, such as the present one, could be avoided in the future. Such an approach might soothe feelings. Mr. Rusk agreed that this might be useful but noted that it probably should not be made as a statement to the press, even without attribution, suggesting that members of the Delegation might simply discuss the idea generally, and let it leak out thus informally. Mr. McKeever noted that it would be important to show that the same problem had arisen in other organs of the United Nations. Mr. Jessup pointed out that the real drawback was that the Soviet group was boycotting the Interim Committee.

Mr. Rusk noted the Delegation's agreement to support Spaak's approach to Padilla Nervo. A final decision would then be taken in the light of discussions of delegates after further conversations with Mr. Spaak just as the Assembly convened.<sup>1</sup>

[Here follows discussion of other items on the Delegation's agenda.]

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<sup>1</sup> For the proceedings of the General Assembly on Sept. 22 regarding the election of the vice-president, see GA (III/1), *Plenary*, pp. 25-26.

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IO files: US(P)/A/M(Chr)/3

*Minutes of the Third Meeting of the United States Delegation, Paris, Hotel d'Iéna, September 23, 1948, 9:15 a. m.*

SECRET

[Here follow list of persons (39) present and discussion of prior agenda subjects.]

3. *Slates for the Security Council and Economic and Social Council*  
(Mr. Popper)

Mr. Popper explained that the Department had reached a tentative position on the slates for the two Councils before the Delegation left the United States. The final position of the Delegation would there-

fore have to be formulated in the light of the developments in Paris.

(a) *Security Council*

Mr. Popper stated that it had been decided in connection with the consideration of a candidate to replace Belgium, that it was of first importance to retain this Council seat for a Western European state. The United States had approached Norway, which it regarded as the most eligible state and Norway had consented to campaign for election. It could therefore be considered that the Delegation was committed to support Norway for this seat.

As regards the successor to Colombia, Mr. Popper informed the Delegation that, while Brazil was willing to be a candidate, it would not campaign actively for itself. There was no information as to the preferred candidate of the Latin American states. Cuba had indicated its interest in standing for election. Mr. Popper suggested that the Delegation should consider whether it should initiate a real campaign for Brazil or simply await the decision of the Latin American caucus on a preferred candidate. The staff recommendation would be to indicate to other Delegations that the United States favors Brazil but will follow the decision of the Latin American caucus. Mr. Rusk noted that Ambassador Johnson, in Rio de Janeiro, had made it clear that Brazil would not be an active candidate.

Dr. Corrigan said that the liaison officers for the Latin American republics would prefer Peru and, as a second choice Ecuador, where elections had recently been held, a strong government established, and it was known that there was an outstanding individual available for service on the Council. Ambassador Sayre asked what objections there were to Peru, and Dr. Corrigan said he would strongly favor its candidacy.

The Secretary asked about Cuba's candidacy. . . . Dr. Corrigan thought it would be necessary to find out first how much support Cuba has obtained. Mr. Rusk believed that it would be important to sound out all the Latin American states as to their preferred candidate and then support their candidate if at all possible.

Mr. Raynor referred to the selection of a state to replace Belgium. He stated that the Netherlands had announced its candidacy and had frankly stated that its desire for election was based on the hope that in the Council it might be able to protect itself in the Indonesian situation. The Department had attempted to discourage the candidacy of the Netherlands, both because it had previously served a term on the Security Council and because of its present involvement in Indonesia. He believed special efforts should be made now to discourage its candidacy. Ambassador Austin asked whether, if the Netherlands were defeated by Norway, it would attempt to campaign against Turkey for the seat now held by Syria. It was thought that it would

not. The Secretary asked whether the United States Delegation should not defer its decision on the Netherlands until it saw what support it had obtained. Mr. Raynor said that he believed the United States should attempt to discourage the Netherlands' candidacy immediately. Mr. Ross noted that the Netherlands' representatives knew that the United States took a dim view of its ambitions in this regard.

Turning to the question of a replacement for Syria, Mr. Popper explained that India had apparently withdrawn from the contest. Both Egypt and Turkey remained active candidates. Egypt was said to have the support of the Arab League. He raised the question whether the United States should support an Arab state at this time both because the election of an Arab state might tend to establish further the idea that one Council seat was reserved for a member of the Arab League, and because the Arab states were so deeply involved in the problem of Palestine. He explained that the Department had tentatively favored Turkey. Mr. Ross, while indicating his agreement that this seat should not be reserved permanently for an Arab state, believed that, in the light of the present situation in Palestine, the United States should not oppose the election of an Arab state, if one were an active candidate. Mr. Villard agreed. Ambassador Austin asked what the British position was and Mr. Popper said the British had indicated a preference for Turkey. Mr. Ross noted that, chiefly because of the principle involved in electing another Arab state to replace Syria, the French were favoring Turkey. Mr. Jessup thought it would be desirable to know the thinking of the Eastern European states on this matter. Mr. Villard thought it was certain that the Soviets would strongly oppose Turkey. Mr. Rusk believed it would be a very serious matter if three Arab states were elected in a row to the Security Council: first Egypt, then Syria, and now Egypt again; more information was needed on the views of the other Moslem and Middle-Eastern states on this matter. It was noted that states such as Afghanistan, Ethiopia, Liberia, Iran, Turkey, Pakistan and India would never have an opportunity to sit on the Council if an Arab state were always elected. The Secretary thought it would be best to attempt to clarify the situation by obtaining the views of other states before making a final decision. He recalled the circumstances of a conversation which he had with the Egyptian representative in Washington, at which time the Egyptian candidacy had been put forward, and pointed out that he had made no commitment to Egypt.

(b) *The Economic and Social Council*

Mr. Popper explained that six members of the Economic and Social Council were retiring. It could be expected that France and China



would be reelected in accordance with the informal understanding that the five major powers should always be represented on this Council. The staff would recommend that the United States support these two countries for reelection.

Chile and Peru were the two retiring Latin American members. Mr. Popper explained that both these states were anxious to be elected and that in addition the Dominican Republic, Ecuador, Haiti and Bolivia were also interested in running for the Council. It had been thought that the United States should probably follow the decision of the Latin American caucus.

Mr. Thorp asked whether members of the Delegation should not openly indicate to other delegations that we liked the idea of rotation of members on the Economic and Social Council.

The Secretary inquired whether there had been any members re-elected in the past and Mr. Stinebower explained that no Latin American state had ever been reelected. Mr. Stinebower wondered whether since Brazil was a member of the Council, if it should be elected to the Security Council, it might not be asked to resign to make way for another Latin American state. In his opinion, this would be a disaster since Brazil was one of the most useful members of the Council. It was thought that this problem need not be met now and was unlikely to arise.

With respect to Canada, also retiring from the Council, Mr. Popper indicated that the Department had initially favored its reelection, but Canada had now stated that it would not be a candidate. The recommendation, therefore, would be to support India to replace Canada, with the understanding that Sir Ramaswami Mudaliar would be the Indian representative on the Council. The Secretary noted that Madame Pandit had asked to see him and asked what reply he should make to her if she requested the support of the United States for India's candidacy. Mr. Popper thought it would be appropriate to say that we would support India, with the understanding that Mudaliar would be its representative. Mr. Jessup said that if Madame Pandit should raise the question of Hyderabad, the Secretary might want to follow the same line he (Jessup) had previously taken with the Indians, that it would be desirable for India to take the initiative in requesting United Nations observers for the scheduled elections in Hyderabad.

Mr. Thorp asked whether it would be possible to defer any final commitments to India until he had had an opportunity to talk with other representatives. He pointed out that India was in a difficult eco-

conomic situation, that it was under-developed, that it was pressing for high tariffs quite contrary to our own international economic policies, and that there were already too many states on the Council in a similar economic position. The effect upon the work of the Council particularly worried him because the Middle East and Far East were already well represented. He personally had favored Canada's reelection, and hoped final decision on this seat could be postponed. He doubted whether it was possible to depend on the assurance that any particular representative would be named to represent India. He personally would hesitate to rely on such a commitment since previously Mudaliar was the designated representative, but young Nehru had actually attended. . . .

The Secretary stated that, in the light of the discussion, he believed the Delegation was in agreement that no commitment should be made to India at this time.

Mr. Popper explained that the Department favored Belgium to replace the Netherlands on the Council. There were no other Western European candidates. This was agreed.

[Here follows discussion of other items on the Delegation's agenda.]

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IO Files : US(P)/A/81

*Memorandum of Conversation, by Mr. G. Hayden Raynor of the  
Advisory Staff of the United States Delegation*

CONFIDENTIAL

[PARIS,] September 24, 1948.

Participants: Dr. Herman van Roijen, of the Netherlands Delegation  
Mr. Hayden Raynor, of the United States Delegation

I spoke quite frankly with Dr. van Roijen with respect to the Netherlands' candidacy for the Security Council along the line that normally the Netherlands would, in all likelihood, be our preferred choice. I said, however, that after the most careful consideration we had concluded that because of Indonesia there would doubtless be a solid adverse Asiatic vote which plus an adverse Slav vote would in itself almost insure defeat. I said the result of the defeat would mean that western and northern Europe would lose this Security Council seat, and that this was something which the United States did not wish to see happen. I told Dr. van Roijen that the United States Delegation had discussed this matter, and viewed the question seriously. I appealed to Dr. van Roijen to bring these considerations to the attention of his Government, and to urge that they view the situation from the

larger view of the interests of western and northern Europe instead of from a nationalistic view.

Dr. van Roijen stated that his Government's decision had been made prior to knowledge on its part that Norway would stand for membership. He said that he thought there would be little difficulty in withdrawing their candidacy under the circumstances which I had outlined. He added, however, that they had some doubts as to how Norway would stand on questions such as the Indonesian question, although they appreciated that on matters pertaining to the Western Union they were now all right. He promised to bring this question to the attention of his Government.

In concluding our conversation, I stressed the danger of the Netherlands' standing even on the first ballot, with a resultant scattering of votes which well might eliminate both the Netherlands and Norway on the very first ballot.

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IO Files : US(P)/A/M(Chr)/5

*Minutes of the Fifth Meeting of the United States Delegation, Paris, Hotel d'Iéna, September 25, 1948, 9:15 a. m.*

SECRET

[Here follows list of persons (32) present.]

1. *Progress Report on Slates*

At the request of Mr. Blaisdell, Mr. Popper explained that it had seemed appropriate to discuss briefly with the Delegation the recent and rapidly changing developments on slates. The Political Liaison Officers directly concerned were in a position to summarize the situation in their respective areas and he would, therefore, ask them to report directly to the Delegation.

Mr. Raynor said that he had talked with Van Royen about the Netherlands candidacy and thought it was quite possible that it might withdraw from the race for the Security Council. He noted that the British Commonwealth states opposed Egypt to replace Syria. Loidan (Belgium) had also advised him that Belgium favored Costa du Rels (Bolivia) and Sarper (Turkey) for vice chairman and *Rapporteur* respectively, of Committee I. Mr. Ross commented that Beeley (UK) had informed him that he had been authorized by the British Delegation to inform the Middle Eastern States that the British had not yet decided what candidate should be supported to replace Syria but would be strongly influenced in their choice by a collectively agreed upon candidate.



Mr. Villard explained that Turkey and Egypt were having conversations on their respective candidacies, but that no conclusion had been reached. There was no question but what the Arab League was supporting Egypt. Turkey was not actively campaigning, but if the United States indicated strong support, and asked it to campaign, Turkey would probably make a real election effort. In any event, some conclusion would probably be reached by Monday.

He noted that India was greatly interested in election to the Economic and Social Council and was actively campaigning. Although it had no tangible support as yet, he believed it would be worthwhile from the American point of view if India got a seat on the Economic and Social Council. Its orientation with the West had grown in the past year and its election would encourage it to take an even stronger line in our interest.

Dr. Corrigan reported that Ambassador Belt (Cuba) is claiming that Cuba has 39 votes for its candidacy for the Security Council, including the UK, and all of the Latin American states except Chile and Nicaragua upon whose votes he felt he could not depend. Brazil would be a candidate at the request of the Five Major Powers. Mr. Ross indicated that his information was that the UK was not committed to Cuba.

[Here follows discussion of other subjects.]

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IO Files : US (P) / A / M (Chr) / 9

*Minutes of the Ninth Meeting of the United States Delegation, Paris,  
Hotel d'Iéna, September 30, 1948*

SECRET

[Here follows list of persons (32) present.]

1. *Review of Security Council Slate*

Mr. Blaisdell explained that it had been thought desirable to discuss briefly with the Delegation the latest developments on candidates for the Security Council. He would ask the chief political officers to discuss the situation in their respective areas.

Dr. Corrigan informed the Delegation that Ambassador Belt (Cuba) had told him he had commitments for enough votes so that Cuba's election was certain. Belt had indicated that, although Argentina had suggested the possibility of making a deal with the U.S.S.R. in exchange for the support of the Soviet bloc, he had refused. Dr. Corrigan thought, with these developments, perhaps the United States should support Cuba. The Secretary asked whether there was any rea-

son why Belt should not be told that the United States would vote for Cuba. Mr. Jessup observed that, in terms of the effective functioning of the Security Council, it would be better to have Brazil or Mexico. On the other hand, there was a question whether the United States should attempt to drum up support for either of these states. Mr. Ross noted that the British oppose Cuba on the ground that it is not qualified for Security Council membership under Article 23 of the Charter.

The Secretary pointed out that a lot of time had passed during which there had been no new developments on other candidates. He thought it was possible under these circumstances that the United States might end up without getting what it wanted and at the same time ill will would be created. Mr. Dulles believed the United States should support Cuba, pointing out that if it endeavors to interfere in the choice of the Latin American states, it will be running counter to its usual policy of following the Latin American caucus. Mr. Rusk thought it would be difficult for the United States to campaign for Brazil and Mexico, as, in fact, such a step would commit us to a policy of rotating the Latin American seat among a small number of states. Under these circumstances, he favored Cuba.

Both Mr. Ross and Mr. Dulles, commenting on the Secretary's remark that inaction in this situation might create ill will, noted that Ambassador Belt had told them that the United States was reported as having asked Peru to run. Dr. Corrigan indicated that there was another meeting of the Latin American caucus tomorrow, at which time the final decision might be expected.

The Secretary suggested it might be appropriate to tell Belt the United States would follow the majority decision of the caucus. Mr. Gross observed that such a step indirectly supported the bloc arrangements which the Delegation had criticized previously. In this connection, Mr. Thorp thought it was important for the United States to reserve the right not to follow automatically in every case the selection of the caucus. The Secretary said he was most concerned about probable ill will from all sides directed against our action. Mr. Cohen, after commenting that the United States previously followed the choice of the Latin American states in the Council elections, thought it was probably desirable to avoid any definite commitment to Cuba in the event that the Latin American bloc had not made its final decision. The Secretary observed that if the United States followed such a line, it would be essential to make sure that the United States kept completely out of the pre-election maneuvering.

Mrs. Roosevelt asked whether there was no way in which, in preliminary conversations, the United States might help the situation

by guiding the course of developments in the caucus. The Secretary replied that we had already indicated our preference for Brazil and Mexico and probably had gone too far. Mr. Jessup thought it would be important to point out to Belt, if it was decided to postpone making the definite commitment, that the United States was not supporting any other Latin American candidate.

The Secretary concluded that it was the sense of the Delegation that Ambassador Belt should be informed as informally as possible that as matters now stand, the United States is disposed to support Cuba, on the understanding that it is simply going along with the majority of the Latin American states.

Mr. Villard summarized the situation respecting candidates to replace Syria. He was still hopeful that Turkey and Egypt might reach agreement as to which should run, and noted that Turkey had even offered to toss a coin, but Egypt had refused. He believed Egypt had greater support and observed that the Turks were not putting on an active campaign. He cautioned that if the United States does not support Egypt, it may encounter difficulties on the Italian colonies and Palestine. In answer to a question from the Secretary, Mr. Villard indicated he did not think it was possible at this time to take a final decision on this seat.

Mr. Raynor reported that it seemed likely that the Netherlands would withdraw its candidacy. He thought the United States should go ahead in its campaign for Norway. This was agreed. Mr. Popper indicated that the Latin American states have expressed interest in Norway's candidacy although they have not committed themselves. It was noted that Norway is not making an active campaign. The Secretary suggested that it would be appropriate to consult with the British on this situation and see exactly what they were doing in connection with Norway's campaign.

[Here follows discussion of other agenda items.]

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IO Files : US(P)/A/M/(Chr)11

*Minutes of the Eleventh Meeting of the United States Delegation,  
Paris, Hotel d'Iéna, October 4, 1948, 9:15 a. m.*

SECRET

[Here follow list of persons (28) present and discussion of a prior agenda item.]

2. *Progress Report on Slates for the Security Council and Economic and Social Council (Mr. Popper)*

Mr. Popper explained that there would probably be a plenary session of the Assembly Friday, at which the Council elections would be



scheduled. For this reason certain preparatory work would have to be undertaken immediately, and it was thought desirable to review the situation with the Delegation.

On the Security Council, he noted that no opposition had developed to Norway's candidacy, although Norway was not actively campaigning. In accordance with Secretary's request at a previous Delegation meeting, the British had been asked whether they would campaign actively for Norway. Mr. Raynor stated that the British had taken no campaign action for Norway to date.

Turning to the Latin American candidate, Mr. Popper asked Dr. Corrigan to bring the Delegation up to date on the discussions in the Latin American caucus. Dr. Corrigan explained that Cuba's candidacy had been confirmed by the caucus. On the Economic and Social Council, Chile had made a strong plea for reelection on the special ground that if it were not reelected, the implication would be that it had been repudiated because of its strong policy toward the U.S.S.R. The caucus had voted (12 votes for Chile and 10 votes for Peru) to support both states for reelection to the Economic and Social Council. Mr. Popper pointed out that the reelection of these two states, along with China and France, might be organizationally undesirable, particularly because it gave the impression that the Economic and Social Council was a closed corporation. However, it would be necessary to support Chile and Peru unless the United States was prepared to depart from its previous policy of accepting the agreed candidates of the Latin American states. Mr. Thorp believed the United States was bound to support Chile in view of Santa Cruz's strategic position on Committee 2 and Committee 3. It was agreed that these two states should be supported for reelection.

Mr. Villard reported that the deadlock between Turkey and Egypt for the Security Council still continued. Turkey claimed four votes and Egypt eight from the states in the Middle Eastern and Southeast Asian areas. There appeared to be no chance that Turkey and Egypt would agree. Mr. Villard indicated that the British were in the same dilemma as the United States; although the British Delegation favored Turkey a number of the British experts on Middle Eastern affairs, who were keenly conscious of Arab problems, favored Egypt. Mr. Villard expressed the hope that the United States could agree with the British on a common candidate from this area.

It was pointed out that if the United States continued to postpone decision on this matter it would lose favor with both states. Mr. Ross recommended that the United States support Egypt. He believed that there was more to gain and less to lose by this step. The credit of the United States was at a low ebb with the Egyptians. At the same time the failure to support Turkey would be unlikely to damage United

States-Turkish relations. Moreover, if Egypt's candidacy were opposed, it might affect the chances for a settlement in Palestine. Mr. Ross believed we should tell the British our views and try to persuade them to take the same line.

Emphasizing again that Egypt and Turkey had not succeeded in reaching an agreement, Mr. Popper suggested that it would be better in the long run if there could be an agreed candidate from the whole group of Middle Eastern and Southeast Asian states. He proposed that the Delegations of Turkey and Egypt be informed at this time that if they were unable to agree, the United States would be forced to make its own choice. He suggested that it might be unfortunate for Egypt to return again this soon to the Security Council since it had immediately preceded Syria.

Mr. Cohen believed there was great strength in this point of view, and he thought the Delegation should bear in mind the fact that the choice of Egypt might build up a precedent to the effect that the Arab states should at all times be represented on the Council. If the Arab states insisted on an exclusive seat, it might create a demand for an increase in the members of the Security Council which would present obvious difficulties.

Mr. Ross said that, while he agreed basically with the organizational desirability of passing Security Council seats around, in this case he considered that political factors outweighed these adverse considerations. He did not think that there was any danger that the Arab states would insist that the single Security Council seat belonged to them in perpetuity. In any event, he doubted whether in terms of practical politics, they could maintain such a position. However, he said he saw no objection to hold this matter over, preferably not later than Tuesday morning, or at the latest, Wednesday, thus giving the two contenders a final opportunity to reach a compromise.

Mr. Raynor thought there were some political reasons in favor of Turkey. He pointed out that France and the Western European states preferred Turkey. He thought their views should count in this situation. In addition, one should not overlook the importance of having states on the Security Council upon which the United States could depend; in this connection, Turkey was certainly more reliable than Egypt. Mrs. Roosevelt felt certain that the United States would get no support from Egypt, particularly because Egypt was strongly anti-British at this time.

Mr. Villard saw no objection to a further delay of 24 or 48 hours in deciding upon the preferred candidate. He pointed out, however, that the two states really could not be expected to reach an agreement and both would be delighted if the United States made the decision.

Mr. Gross referred to the earlier remarks as to the desirability of an agreed candidate from the Middle Eastern bloc of states and



thought there might be some advantage in dividing the block. Mr. Popper saw the general objection to bloc politics but emphasized that in elections there was the mechanical problem of getting a two-thirds majority which necessitated lining up support for candidates before an election. The whole problem was facilitated if there were agreed candidates from a broad geographical area. Nevertheless, Mr. Gross believed some of the bloc difficulties arose from willingness to utilize blocs on organizational items, such as elections. Their use there subsequently deprived the United States of the moral strength necessary to discourage on principle the use of bloc techniques in committees.

Mr. Cohen asked what position Pakistan and India had taken. He did not think there was any objection to agreement between Middle Eastern states on a common candidate since there was already the understanding that one Security Council seat was to go to this group. He agreed, however, that the development of blocs should not be encouraged. Mr. Villard indicated that Pakistan, as a Moslem state, was supporting Egypt, while India favored Turkey. Mr. Gross felt that from the standpoint of the interest of the United States, there was a serious question whether Egypt's presence on the Security Council might not be extremely dangerous.

Mr. Ross agreed that Turkey was a "surer bet" than Egypt. At the same time our relations with Egypt were at a turning point. He believed that it was a reasonably good gamble that Egypt's election might swing it to our side. The strongest evidence for this position lay in the fact that the Egyptian government was not very stable. The people in Egypt who were trying to promote a moderate policy on Palestine were those who were anxious for Egypt to be elected to the Security Council. If Egypt were not elected, it seemed likely that less moderate leaders would take over the government, and United States-Egyptian relations would worsen. Mr. Gross referred to the bad relations between Egypt and the United Kingdom and thought that Egypt would probably continue in this policy and would be likely to take any position, regardless of its merits, which opposed the United Kingdom. Mr. Ross thought it was certain there would be a deterioration in relations between the United Kingdom and Egypt under existing circumstances. If Egypt were elected to the Council, the situation might improve. Mr. Thorp thought his view over-emphasized the importance of the election, which he believed was only a minor factor in the total situation. Mr. Villard agreed, in general, with Mr. Ross and noted that the United States had been able to work more effectively with Egypt than any other Arab state because of the moderate attitude of Fawzi Bey. Fawzi Bey would probably be the Egyptian Security Council representative. Ambassador Austin pointed out the importance of the personal factor in Security Council proceedings.



Terminating discussion of this subject, Ambassador Austin indicated that the Delegation would postpone final decision pending conversations with representatives of Turkey and Egypt, in which it would be indicated that the United States is about to make an independent decision on this matter unless the two states can reach agreement.

[Here follows discussion of agenda item 3.]

4. *Slate for the International Law Commission*<sup>1</sup> (Mr. Maktos)

Mr. Maktos explained that under Article 13 of the Charter the General Assembly had responsibility for the codification and progressive development of international law. It would be called upon to establish an International Law Commission of 15 members who were to be experts in international law and who would serve in their individual capacity, rather than representatives of states. The slate combined not only considerations of general geographical distribution and representation of various systems of law, but at the same time placed primary emphasis upon the individual qualifications of the candidates. Mr. Maktos then read the list of candidates. Ambassador Austin inquired as to the meaning of the secondary candidates and Mr. Maktos explained that, if there were an impasse on the first ballot or if some of our candidates made a bad showing, these were the alternative candidates to which the delegation might shift its vote.

Ambassador Sayre asked whether the candidates were chosen on the basis of individual qualifications or on the basis of geographical distribution. Mr. Maktos said that individual qualifications had come first, but indicated that in the case of Prince Wan (Siam) geographical distribution had been the deciding factor. Nevertheless, Prince Wan had done considerable work in international law and was well liked. It was noted that he had been elected Vice-Chairman of Committee 6.

The slate was approved by the delegates without further comment.  
[Here follows discussion of another subject.]

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<sup>1</sup> See Department of State Position Paper, SD/A/197, September 1, 1948, p. 117.

IO Files: US(P)/A/133

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*United States Delegation Position Paper*

CONFIDENTIAL

[PARIS,] October 6, 1948.

REVIEW OF COUNCIL SLATES

THE PROBLEM

The problem is to determine the candidates for whom the United States Representative should vote in the elections to be held on October 8 to fill 3 seats on the Security Council and 6 seats on the Economic and Social Council.

## RECOMMENDATIONS

1. *Security Council*

The United States Representative should vote for the following:

- a. Norway
- b. Cuba
- c. Turkey [Egypt] <sup>1</sup>

It is understood that the United States Representative may shift his vote for this candidate if the result of the first ballot discloses that our first choice is unlikely to be elected.

2. *Economic and Social Council*

The United States Representative should vote for:

- a. China
- b. France
- c. Chile
- d. Peru
- e. Belgium
- f. India

*Comment*

If, in a series of inconclusive ballots, one or more candidates fails to secure election, the United States Representative should agree to continuation of the balloting at a later date and should seek the advice of the Delegation on the question of shifting United States support to candidates other than those mentioned above.

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<sup>1</sup> Brackets appear in the source text.

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IO Files : US(P)/A/135

*Memorandum by Mr. Henry S. Villard to Mr. Donald C. Blaisdell,  
Both of the Advisory Staff of the United States Delegation*

CONFIDENTIAL

[PARIS,] October 6, 1948.

We are faced with a difficult dilemma as to whether we should support Turkey or Egypt for the Security Council seat. In order to assist the Delegation in arriving at a decision as to which country to support, I have attempted to sum up below the various arguments in favor of either one:

*Turkey*

1. Turkey has stood up well under the war of nerves to which it has been subjected by the Soviet Union.

2. Thus far Turkey has been consistent in its support of U.S. policy and definitely looks to the United States for orientation in its foreign policy.

3. Turkey is an integral part of our Turkish-Greek aid program, involving the highest political considerations on the part of the U.S. Government.

4. Turkey is fully alive to the strategic importance of the eastern Mediterranean and the Middle East in general.

5. If Turkey were elected to the Security Council its representative would undoubtedly be Selim Sarper who is an able person.

6. Turkey's election would eliminate the problem of one Arab State directly succeeding another on the Security Council.

7. Turkey apparently has the support of the Middle East area, with the exception of the Arab states, and in addition that of Western Europe, the British Commonwealth and various Latin American nations.

8. Turkey has maintained a relatively detached position on Palestine although it could not be expected to vote contrary to the interests of the Arab States.

9. Turkey would probably be a more "reliable" member of the Security Council than Egypt on matters affecting U.S. interests.

### *Egypt*

1. Egypt has the unanimous support of the Arab States.

2. Egypt has indicated a desire for U.S. support in its candidacy.

3. Our support of Egypt or our failure to afford such support, must be carefully weighed in consideration of its effect on the Palestine problem.

4. The attitude of Egypt and the other Arab States is of importance to us in connection with the Italian Colonies, and that attitude might be directly affected by our standpoint on the Egyptian candidacy for the Security Council.

5. Turkey is already a member of ECOSOC and therefore does not also need to be represented on the Security Council. Egypt has promised its support of Turkey next time for the Security Council, showing that it does not desire to perpetuate indefinitely the succession of Arab States on the Security Council.

6. For reasons of domestic prestige, Egypt is extremely anxious to obtain the Security Council seat. Considerable influence on the stability of the Government might be exerted by a successful candidacy.

7. If elected to the Security Council, Egypt would be represented by Fawzi Bey, a spokesman for the Arab States with whom it is possible to deal on a reasonable basis.

8. In the case of Egypt it would appear that the Government is directly interested in the seat, whereas in the case of Turkey it would appear more as if the individual concerned were interested.



*Summary of Probable Area Support*

1. <i>For Turkey:</i>	Turkey	2. <i>For Egypt:</i>	Egypt
	Greece		Iraq
	Iran		Lebanon
	Afghani-		Saudi
	stan		Arabia
	Ethiopia		Syria
	India		Yemen
			Pakistan

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IO Files : US(P)/A/M/(Chr)/12

*Minutes of the Twelfth Meeting of the United States Delegation,  
Paris, Hotel d'Iéna, October 7, 1948*

SECRET

[Here follows list of persons (33) present.]

1. *Review of Slates for the Security Council and the Economic and Social Council.*

Mr. Blaisdell explained that it was planned to hold the Council elections at the Plenary Session of the Assembly tomorrow. It was therefore necessary for the Delegation to come to a final decision on the candidates. He asked Mr. Popper to report on the present situation.

Mr. Popper explained that the Delegation's position was determined, except with respect to one seat on the Security Council and one seat on the Economic and Social Council. In the case of the Security Council a choice had to be made between Turkey and Egypt, and there were substantial reasons in favor of both candidates. Turkey would provide dependable support for the United States on the Security Council, and from an organizational point of view its election was perhaps preferable since it had not served previously and since its choice would make clear the principle that the Arab States do not enjoy an exclusive Security Council seat to themselves. On the other hand, Egypt was very anxious to serve, was the agreed candidate of the Arab League and would put an Arab State on the Council, which might be helpful in connection with the Palestine problem.

The Secretary inquired whether it was thought that the election of Egypt would be of positive benefit to the United States or would simply be a preventive and purely defensive choice and asked specifically whether the United States would gain something by voting for Egypt. Mr. Villard replied that the United States could hope to work very well with Fawzi Bey, the probable Egyptian Representative,

who had proved to be the easiest of the Arabs to deal with on Palestine. In that situation he believed the choice of Egypt would represent a positive gain for the United States. On the other hand, Fawzi Bey would certainly vote in accordance with the interest of all the Arab States and would never vote as we would wish on Palestine. Mr. Villard noted that Egypt had only the support of the Arab League.

The Secretary asked Mr. Jessup for his views. Mr. Jessup stated that, on balance, he believed the United States should support Egypt on the first ballot. It might gain some favor by this action, and in particular, it might create a better atmosphere for the solution of the Palestine problem and also the question of the disposition of the Italian Colonies. He believed, as regarded other Security Council issues not directly concerning the Arab States, Egypt would come along with the United States in general, and it would only be on those questions where the Arabs had a special interest that its position would be likely to run counter to that of the United States. For these reasons he suggested that the United States support Egypt on the first ballot but perhaps shift to Turkey, depending upon developments.

Ambassador Austin, basing his position on his Security Council experience, believed Egypt could contribute to the work of the Council, even though it would be opposed to the United States on many things. He questioned whether it was wise to choose Turkey simply because it would vote with the United States. He wanted the Delegation to cast its vote on the basis of what would produce the most good and on that basis, he was personally convinced that Egypt was the best candidate. Mrs. Roosevelt indicated she had no way of choosing a preferred candidate in this situation. Mr. Cohen said he would defer to the judgment of Mr. Jessup and Ambassador Austin, although, on the basis of the arguments put forward in Mr. Villard's paper (US(P)/A/135) he would lean toward Turkey. Ambassador Sayre said that he believed the strengthening of the Security Council was the most important consideration in this case. He did not think that the Palestine problem would be solved in the near future nor that its solution would be facilitated by the election of Egypt. He wondered whether the strengthening of the SC was, therefore, not more important than the possible political advantage of supporting Egypt. He thought Turkey would be a stronger rod to lean on and for that reason, favored its candidacy.

Mr. Gross asked what position the Soviet bloc was taking and Mr. Popper indicated that there was no information on this point. Mr. Raynor thought Turkey would certainly be opposed by the Soviet group. He pointed out also that not only the British Commonwealth but also all the Western European States favored Turkey. Mr. Rusk thought undue emphasis had been placed upon the importance of the election in relation to specific political issues. He pointed out that

Egypt had already sat on the Security Council and doubted that its choice would alter the general political situation. He believed the United States should support Turkey.

While noting that weight should be given to the views of those working in the Security Council, Mrs. Roosevelt said she felt there would be no real security with Egypt, even though now and then it might vote with the United States, because more often it would not work with the United States. She thought Turkey a more reliable choice. Ambassador Austin indicated that the situation balanced up closely on both candidates.

The Secretary said he would hesitate not to follow the preference of the United States Representatives in the Security Council, though personally he preferred Turkey. Nevertheless, he would agree that the United States should vote for Egypt on the first ballot. Ambassador Austin noted that it would be possible to work well with either country, as both Sarper (Turkey) and Fawzi Bey (Egypt), their respective representatives, would be easy to work with. As for the problem of getting votes in the Council, he commented that ordinarily the USSR drives the other states on the Council to vote the opposite way in self-defense.

Mr. Jessup thought that it was almost a toss-up and Turkey would probably be elected. He himself was a good deal impressed by the problem of general relations between the United States and the Arab States, and thought it would be helpful if we let the word get around that we are backing Egypt. He did not think it would be bad for the United States if Egypt were elected and proposed again that the United States vote for Egypt on the first ballot. Mrs. Roosevelt wondered whether our position with the Arabs would improve at all, unless we voted with them on Palestine. Mr. Jessup thought we would not lose the entire world on the Palestine issue and that the longer range problem of friendly Arab-American relations was most important. Mrs. Roosevelt asked again whether anything would really have the slightest influence, and Mr. Jessup said he would defer to the Near Eastern experts on this question.

Mr. Ross agreed fully with Mr. Jessup. The United States was always sure of its credit with Turkey. Any positive gain in our relations with Egypt would be an improvement. He favored supporting Egypt on the first ballot.

The Secretary stated that the Delegation would support Egypt on the first ballot but would make no reference to its position on further ballots. It should inform only Egypt, although the Secretary noted that Egypt would undoubtedly spread the United States commitment around. This raised the question as to when the Egyptians should be



told of the Delegation's decision. Mr. Ross believed they should be told immediately. Mr. Jessup indicated that the political officers would be under pressure as to how the United States would vote and he thought it should be possible to tell all who inquire that we are voting for Egypt on the first ballot. Mr. Rusk suggested that we should make it clear that we would be glad to see either Turkey or Egypt on the Council. The Secretary did not think this was desirable, since it appeared to qualify our support and believed it would be better simply to see what the situation was after the first ballot. Mr. McKeever commented that if the Egyptians were told immediately, the Delegation could expect to read in the morning papers that the United States was supporting Egypt. For this reason he thought it would be preferable to delay telling the Egyptians until after lunch. The Secretary said he would leave the question of when the Egyptians should be told up to Mr. Jessup. Mr. Jessup thought it would be all right to wait until after lunch. The Secretary then indicated that if Egypt failed on the first ballot, the United States would vote for Turkey, but would not let that fact be publicized at this time lest it result in bad feelings from both states.

Turning to the situation on the Economic and Social Council slate, Mr. Thorp recalled that the Department had originally agreed on Canada for re-election but that the Canadians had indicated that they would not wish to run against India. However, Canada had once indicated that if both Chile and Peru were supported for re-election it might change its position. He was, himself, very much concerned about the effect of India's participation in the Council and referred to the fact that in his first speech in Committee II, the Indian Representative had been sharply critical of the metropolitan powers, in particular, in relation to their participation on regional commissions, and had also charged the exporting powers (the United States) with discriminating in favor of Europe against Asia. He thought it would be desirable to check this situation again with the Canadians although it might be too late to shift our position. Mr. Raynor commented that he would be glad to check with the Canadians but noted that it had been known for several days that Chile and Peru would be supported for re-election and the Canadians had not raised any questions. Mr. Rusk recalled that Mr. Hume Wrong had called him in Washington shortly before he left to inform him that the Canadian Cabinet had decided that Canada should not stand for re-election and had asked that the United States not embarrass Canada by supporting it. Mr. Thorp indicated that if Canada did not want the seat, there was no question of supporting her. It was agreed that the Delegation should support India.

2. *Slate for the International Law Commission.*

Mr. Washington explained that Ambassador Muniz (Brazil) had asked that the United States support Ambassador Amado for the ILC. Ambassador Amado was now on the secondary United States slate. In view of the general cooperation which the United States received from Brazil, Mr. Washington suggested that the Delegation might wish to reconsider its previous decision, approving the United States slate, and include Ambassador Amado. On a question from the Secretary, Mr. Blaisdell explained that the original slate had been chosen on the basis of personal competence, and secondly, equitable geographical representation. He recommended that the Delegation stand on its previous decision. Mr. Gross, referring to the fact that the Brazilian request was tied up with another matter, said he did not believe the United States should change its slate. . . . It was agreed that the slate should not be changed and that the Brazilians should be told that the United States had chosen the candidates which it would support on the basis that they were the best men for the posts.

[Here follows discussion of another subject.]

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IO Files : US (P) / A / 143

*United States Delegation Position Paper*

CONFIDENTIAL

[PARIS,] October 7, 1948.

UNITED STATES SLATE FOR THE SECURITY COUNCIL AND THE ECONOMIC  
AND SOCIAL COUNCIL

1. SECURITY COUNCIL

The United States Representative should vote for the following :

- a. Norway
- b. Cuba
- c. Egypt (on the first ballot)

2. ECONOMIC AND SOCIAL COUNCIL

The United States Representative should vote for :

- a. China
- b. France
- c. Chile
- d. Peru
- e. Belgium
- f. India

*Editorial Note*

For the proceedings of the General Assembly on October 8 relating to elections to the Security Council and to the Economic and Social Council, see GA(III/1), *Plenary*, pages 346-348. Cuba, Norway, and Egypt were elected the three non-permanent members of the Security Council; and China, France, India, Peru, Belgium, and Chile were elected members of the Economic and Social Council.

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IO Files : US(P)/A/M(Chr)/15

*Minutes of the Fifteenth Meeting of the United States Delegation to the General Assembly, Paris, October 14, 1948*

SECRET

[Here follows list of persons (32) present and discussion of several prior items on the Delegation's agenda.]

4. *Slate for the International Court of Justice*<sup>1</sup>

Mr. Gross explained that this item had been placed on the Delegation agenda, not because immediate plenary action was anticipated, but because it had become necessary to discuss our slate with other delegations. The terms of five judges of the International Court would expire. Two of these were Eastern Europeans. The question was whether the Delegation should support the re-election of all five present incumbents or shift its support to a Middle Eastern candidate for one of the places. The latter was the recommendation in the position paper before the Delegation. This position had been taken because of a feeling that it would be generally desirable to increase the representation of the Near and Middle Eastern states and on the feeling that on political grounds it was appropriate to reduce the representation of the Eastern European countries. The latter point Mr. Gross considered improper, since the capacity of the individual candidate was actually the most important criterion. It was for those reasons, however, that it had been agreed to support Sir B. N. Rau (India) for election in the place of the Polish incumbent.

Mr. Gross said that discussions with members of the British, Belgian, and Dutch Delegations during the past few days had disclosed that these countries felt it would be a great mistake to support another candidate to replace one of the two Eastern European incumbents. It was argued that such action would simply add fuel to the Soviet feeling about the Court, in particular as to its non-representative char-

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<sup>1</sup> See Department of State Position Paper, SD/A/198, September 2, p. 118.



acter. He pointed out, however, that these states did not believe that the re-election of the two Eastern European judges would make the Soviets any more disposed to submit matters to the Court.

Mr. Gross recommended that the Delegation support the five present incumbents for re-election. He pointed out that the Near East was already represented on the Court by an Egyptian judge. In view of the feeling of the Western European states and his own view that the slate in the position paper had been largely motivated by political considerations which were quite inappropriate in dealing with the Court, he recommended again that the five incumbents be supported. He noted that there was one complicating factor—a commitment might have been made in Washington to support Sir B. N. Rau. He would want to know the details on that matter, although he assumed that any commitment was probably only for the first ballot. Miss Brown explained that a firm commitment to support Sir B. N. Rau had been made to the Indian Ambassador in Washington, although the question whether the US would support Rau beyond the first ballot had not been dealt with specifically.

The Secretary asked that a telegram be sent to Washington asking for precise information as to the views of the Department on this matter.

Mr. Dulles thought there was no point in paying any attention to the Soviet susceptibilities on this matter unless the USSR showed some willingness to use the Court. In his view, if it intended to boycott the Court in any case, there was no point in voting for Eastern European judges. He called attention to the fact that the Soviet position has consistently been against allowing any question to be referred to the Court. Mr. Gross indicated that both Eastern European incumbents were able jurists, and of course were not elected as representatives of states. The British, Belgian, and Dutch Delegations fully understood the point of view which Mr. Dulles had just expressed and were under no illusions as to the Soviet opinion of the Court. Nevertheless, the failure to support the two Eastern European incumbents would give the Soviets an additional argument which would appeal to the public.

Mr. Rusk pointed out that these were the first elections to the Court since 1946. He thought it would be unfortunate to establish a possible precedent that the judges should be automatically re-elected and suggested some rotation was desirable, since otherwise, a judge once elected would be entrenched in office almost indefinitely, and if his removal should become necessary, it would be extremely difficult without raising serious political questions. The Secretary commented that while this was a valid point, re-electing all but one would not really meet

the issue, and there was an invidious implication if only one was left off the slate. Mr. Gross said he did not consider that supporting the present incumbents should constitute a precedent, and he believed the Delegation should make it clear, if it adopted his recommendation, that it was not favoring a principle of automatic succession.

No final decision was taken on this matter.

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IO Files : US(P)/M(Chr)/18

*Minutes of the Eighteenth Meeting of the United States Delegation to the General Assembly, Paris, Hotel d'Iéna, October 19, 1948*

SECRET

[Here follow list of persons (35) present and discussion of a prior agenda item.]

## II. UNITED STATES SLATE FOR INTERNATIONAL COURT OF JUSTICE

Mr. Gross reviewed the consideration previously given to the International Court of Justice slate by the Delegation, recalling that, pending information from the Department as to the nature of the commitments which had been made to Sir B. N. Rau (India), it had taken no final position on his recommendation to alter the Department's position paper to support re-election of the five incumbent judges. He said that the Department had now informed the Delegation that a firm commitment had been given the Indian Ambassador on September 3, and he had been told that his government could inform other governments that the United States was supporting Rau. Mr. Gross noted that it was not clear whether the United States was obligated to support Rau beyond the first ballot. Mr. Kopper said he had been present at the interview with the Indian Ambassador in Washington, who had been told that the United States would give "reasonable" support to Rau's candidacy. Pointing out that India would not expect the United States to support Rau to the end he observed that the United States would have discharged its commitment if it shifted its vote after Rau fell far behind. Mr. Blaisdell called the commitment indefinite, not being specifically limited to the first ballot, nor being extended indefinitely.

Ambassador Austin interpreted the obligations of the Delegation as requiring that it vote for Rau on the first ballot; if the vote were close, to continue to support Rau; and if Rau fell far behind, to shift the vote of the Delegation to another candidate.

Mr. Gross asked whether the commitment was simply to vote for Rau or to talk to others in his behalf. Mr. Kopper said the Indian Ambassador had been informed that the United States would not campaign for Rau but would tell others, if asked, it was voting for



him. Mr. Jessup pointed out that there was a difference between saying that the United States was supporting Rau on the first ballot and simply saying it was supporting Rau. Mr. Rusk noted that Rau's situation was no different in this regard from that of any of the candidates.

After it was noted that the special British problem arose partly from the fact that Sir Zafrullah Khan <sup>1</sup> was also a candidate, the Delegation considered the probable developments in voting strength arising out of the concurrent Security Council and General Assembly balloting on the International Court of Justice candidates. Mr. Jessup thought it very likely that the Polish incumbent would get six votes on the first ballot making him the Security Council preferred candidate. This development would probably be followed by a corresponding shift in the Assembly vote.

Mr. Dulles asked why the original commitment had been made to Rau. Mr. Kopper explained that India had approached the United States on a number of subjects, including its candidacy for the Security Council, the Economic and Social Council and Rau's candidacy for the International Court of Justice.

General policy considerations had appeared to make it important to support India in at least one of these cases and the Court place had been chosen. Mr. Gross regretted that the Court selection had been put on a political basis. Mr. Jessup noted there were political reasons for voting for either the Polish incumbent or Rau. Mr. Gross thought there was a difference in the case of the Pole, since he was already on the Court.

Mr. Cohen asked whether it would do violence to the United States commitment if Rau was told simply that while the United States would vote for him on the first ballot, unless he was in the lead it could not continue to support him. He could also be told that the United States believed it was important not to have the U.S.S.R. feel that Eastern European representation on the Court was being deliberately reduced. Even though the U.S.S.R. would not bring cases to the Court it was quite possible that in the future there would be a greater tendency to seek advisory opinions. Eastern European membership on the Court might make some difference as to the weight these states attached to those opinions.

Mr. Kopper pointed out that those considerations had been known last summer. He did not think that the Indian Delegation would be sympathetic to this approach. Mr. Cohen commented that it was not quite true that the United States knew as much about the situation then, particularly the Western European position. Mr. Thorp pointed out the United States support of India's candidacy for ECOSOC had also altered circumstances.

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<sup>1</sup> Pakistani Minister for Foreign Affairs and Commonwealth Relations and Chairman of the Pakistani Delegation to the General Assembly.



Mr. Rusk said that when the original decision was made, both the United Kingdom and Canada had indicated they were supporting Rau. Moreover, the United States national group had nominated the Pole and not the Yugoslav. However, the Department had decided for policy reasons to support the Yugoslav. He wondered whether commitments to individuals were not more flexible than commitments to countries.

Ambassador Austin stated the agreement of the Delegation to support Rau on the first ballot and on successive ballots unless he fell far behind. If it became necessary for the United States to shift its vote he should be informed in advance of the reasons. Mr. Cohen wondered how far ahead the other candidates should be on the first ballot. Ambassador Austin thought far enough to insure their election. It was pointed out that since the Security Council and the General Assembly balloted concurrently there might be different results in each. Mr. Dulles thought the strategy to cover this situation could be decided upon only after a decision as to the candidate which the United States wished to see elected.

Mr. Sandifer recalled that he had taken part in the developments of the present slate in the Department. It had been felt that South-eastern Asia was not adequately represented on the Court and that Eastern Europe was over-represented. On the point whether a commitment to an individual involved less responsibility, he commented that on the basis of his own experience in this Assembly session, the Indian orientation was sympathetic to the United States; if the commitment were broken, there would probably be serious repercussions, especially if a shift was made before a decisive modification in the voting.

Ambassador Austin said that if the Delegation believed Rau to be out of the running as the result of the first ballot, the United States would drop him from the slate. Otherwise it would continue to support him.

Commenting on Mr. Sandifer's remark, Mr. Cohen expressed some doubt as to whether Eastern Europe was actually over-represented. The Latin-American states had certainly disproportionate representation. He did not think the representation of Southeastern Asia was completely met by taking a seat away from an area where other special political problems were involved.<sup>2</sup>

[Here follows discussion of another subject.]

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<sup>2</sup> In several sittings meeting concurrently on October 22 the General Assembly and the Security Council elected Messrs. Hsu Mo, Badawi, Read, Winiarski and Zoricic to the International Court of Justice in that order; for the proceedings, see respectively GA (III/1), *Plenary*, pp. 368 ff., and United Nations, *Official Records of the Security Council, Third Year, No. 119*, pp. 1-4 and 16-18.

IO Files : US(P)/A/207

*United States Delegation Position Paper*

CONFIDENTIAL

[PARIS,] November 2, 1948.

## UNITED STATES SLATE FOR THE INTERNATIONAL LAW COMMISSION

Shu-shi Hsu (China)  
George Scelle (France)  
James L. Brierly (UK)  
V. M. Koretsky (USSR)  
Manley O. Hudson (US)  
J.P.A. Francois (Netherlands)  
A.E.F. Sandstrom (Sweden)  
Ljubomir Radovanovic (Yugoslavia)  
Faris Bey El-Khouri (Syria)  
Prince Wan (Siam)  
Jean Spyropoulos (Greece)  
Kenneth H. Bailey (Australia)  
Jesus M. Yepes (Colombia)  
Roberto Cordoba (Mexico)  
Gilberto Amado (Brazil)

*Editorial Note*

In balloting in two meetings on November 3 (GA(III/1), *Plenary*, pages 378-380) the General Assembly elected the following jurists to the International Law Commission: Messrs. Shu-shi Hsu, Amado, Rau, Brierly, Scelle, Cordoba, Hudson, François, Koretsky, Spyropoulos, Alfaro, Yepes, Khouri, Zourek and Sandström.

**II. ATTITUDE OF THE UNITED STATES TOWARD CHANGES IN THE REPRESENTATION OF CZECHOSLOVAKIA AT THE UNITED NATIONS, MARCH 1948**

IO Files : US/S/287

*Memorandum of Conversation, by the Deputy United States Representative on the Interim Committee of the General Assembly of the United Nations (Jessup)*

SECRET

[NEW YORK,] March 10, 1948.

Subject: Events in Czechoslovakia <sup>1</sup>Participants: Secretary-General Trygve Lie  
Andrew Cordier, Secretariat <sup>2</sup>

<sup>1</sup> For documentation regarding the recent political changes in Czechoslovakia, see volume IV.

<sup>2</sup> Executive Assistant to Mr. Lie.

A. H. Feller, Secretariat <sup>3</sup> (and other members of Mr. Cordier's staff)

Dr. Philip C. Jessup, United States Mission

I called at Mr. Cordier's office at about 12:45 to keep a luncheon engagement. He had just come from Mr. Trygve Lie's office where the Secretary-General had been in consultation with Mr. Papanek, the Czechoslovak Representative at the United Nations, for nearly an hour. Cordier told me that their first understanding was that Papanek was submitting his resignation as Czechoslovak Representative and he raised with me the possibility of assisting him to find some academic position in the United States. He was then called again into Mr. Lie's office and on coming out told me that Papanek had formally submitted, as the accredited Czechoslovak Representative to the United Nations, a paper asking that the Czech question be immediately brought before the Security Council. I understood that he asked for consideration under Article 34, but am not definite on this point. While we were discussing this aspect of the question we were joined by Mr. Lie and Mr. A. H. Feller. Mr. Lie said that Papanek insisted that he would fight any attempt to cancel his credentials and would insist that any such orders coming out of Prague were not issued by the Government of Czechoslovakia. Mr. Lie told him that if he received new credentials for someone else signed by Beneš <sup>4</sup> and Gottwald,<sup>5</sup> he could not do anything but receive them and place them before the Security Council. It was indicated by one of the group that the question would arise whether the United States would continue to accord the diplomatic privileges to Papanek under such circumstances. It further appeared that following the usual Secretariat procedure, Mr. Lie had told Cordier to take Papanek's paper immediately to Sobolev,<sup>6</sup> which was done. The group, after Mr. Lie had left us to keep a luncheon engagement, were agreed that Sobolev would undoubtedly telephone at once to Gromyko <sup>7</sup> who would in turn communicate with Moscow, with the likelihood that action would come out of Prague terminating Papanek's status within perhaps six hours. Cordier and some of his staff and I went on to luncheon and continued to discuss there the question of the role of the Secretariat in connection with the recognition of a representative under these circumstances. Cordier's view seemed to be that the Secretariat could not undertake to pass judgment in such a situation. At this point Mr. Feller joined us in considerable

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<sup>3</sup> Director of the Legal Department.

<sup>4</sup> Eduard Beneš, President of Czechoslovakia.

<sup>5</sup> Klement Gottwald, Czechoslovak Prime Minister.

<sup>6</sup> Arkady A. Sobolev, Assistant Secretary-General in charge of Security Council Affairs.

<sup>7</sup> Andrei A. Gromyko, Permanent Representative of the Soviet Union at the United Nations.



excitement, saying that Mr. Papanek was already holding a press conference at which he was informing the press that he was laying the matter before the Security Council. (I was subsequently told by a member of the press that he made the direct charge that Masaryk<sup>a</sup> had been murdered by the Russians.) Feller was insistent that the Secretariat was bound to get Papanek's paper documented and distributed before his credentials could be cancelled. They seemed to agree that when the paper was handed in, Papanek was the accredited Representative of Czechoslovakia, and that his paper therefore must be treated as an official paper. Cordier left the table and telephoned Sobolev and came back and reported that Sobolev said that he had to speak to Mr. Lie about something in the paper before he could have it processed. Cordier had not been able to persuade him to the contrary and I understood that Cordier and Feller were endeavoring to reach Lie with a view to his directing Sobolev to proceed. No further development occurred before I left the group at 2:10.

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<sup>a</sup> Jan Masaryk, late Czechoslovak Minister for Foreign Affairs.

IO Files : US/S/305, also US/SEC/61

*Memorandum of Conversation, by the Acting Deputy Secretary-General of the United States Mission at the United Nations (Power)*

SECRET

[NEW YORK,] March 11, 1948.

Participants: Mr. A. H. Feller, Legal Department, United Nations  
Mr. Thomas F. Power, Jr., United States Mission

At Mr. Rusk's request, I inquired of Mr. Feller whether he had written any legal opinion for the Secretary-General regarding the validity of Dr. Papanek's credentials as Permanent Representative of Czechoslovakia to the United Nations, or his qualification to submit his complaint regarding events in Czechoslovakia to the Security Council.

Mr. Feller said that events had moved too quickly for written legal opinions on the previous day when the incident had occurred, but he had discussed the matter with Mr. Lie on several occasions (See US/S/287). The key to the Secretary-General's ruling that Mr. Papanek's communication must be treated as a non-governmental one was Papanek's statement to the Secretary-General that he was submitting the document in his personal capacity. Papanek made the same statement at his press conference. Therefore, the Secretary-General felt that he must look behind the outward appearance of the document and Papanek's action in submitting it to make an essentially political judgment that Papanek was not acting as the Representative of Czechoslovakia but as an individual.

Mr. Feller said that he had had to concur in this view of the Secretary-General although it was his first belief that Papanek's letter should have been given standard treatment and his communication submitted to the Security Council.

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10 Files: US/S/301, also US/SEC/60

*Memorandum of Telephone Conversation, by the Acting Deputy Secretary-General of the United States Mission at the United Nations (Power)*

SECRET

[NEW YORK,] March 15, 1948.

Participants: Mr. Andrew W. Cordier, Executive Assistant to the Secretary-General, United Nations Secretariat  
Thomas F. Power, Jr., United States Mission

I called Mr. Cordier to inquire whether he had any information regarding the status of the Czech credentials for Mr. Papanek or the newly appointed representative, Houdek.

Mr. Cordier told me that Mr. Papanek had called on him this morning, and Mr. Cordier had then called Papanek to ask whether he cared to see Mr. Houdek at the United Nations or at his office. Houdek had previously agreed that he did not want to create any scenes or crises vis-à-vis Papanek. Papanek said he did not want to see Mr. Houdek and added that from his point of view he wanted to keep the record straight to the effect that he had been accredited by Beneš and Masaryk and would relinquish his post only on orders signed by Beneš. However, Papanek said he did wish to avoid embarrassment. It was agreed that the two gentlemen would not meet today or tomorrow (March 15 or 16), and during that time Houdek would not attempt to go to the Czech Delegation Office.

The official United Nations view on the credentials is that Houdek is the accredited Czech representative. Mr. Cordier explained that the Secretary-General must assume that the Czechoslovak Chargé<sup>1</sup> in Washington is in touch with Prague and speaks authoritatively, and therefore, when he wired that Houdek was replacing Papanek, the Secretary-General had to accept that wire as a temporary accreditation.

Mr. Cordier said that, with the agreement of the Secretary-General, he was personally keeping in touch with the situation. He said he would keep us informed of developments.

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<sup>1</sup> Josef Hanc.

IO Files : US/S/311, also US/SEC/64

*Memorandum of Conversation, by the Acting Deputy Secretary-General of the United States Mission at the United Nations (Power)*

[NEW YORK,] March 17, 1948.

Participants: Dr. Hanna Saba, United Nations <sup>1</sup>

Mr. T. F. Power, Jr., United States Mission

Dr. Saba informed me this morning that the United Nations today received a telegram signed by Acting Foreign Minister Clementis accrediting Mr. Houdek as Permanent Czechoslovakian Delegate to the United Nations, empowered to sit on all United Nations bodies on which Czechoslovakia is entitled to be represented.

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<sup>1</sup> Director of Division of Privileges and Immunities and Registration of Treaties.

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IO Files : US/S/377, also US/SEC/71

*Memorandum of Conversation, by the Acting Deputy Secretary-General of the United States Mission at the United Nations (Power)*

CONFIDENTIAL

NEW YORK, March 31, 1948.

Participants: Mr. A. Cordier, United Nations Executive Office  
[*Secretariat*]

Mr. Thomas F. Power, Jr., United States Mission

Mr. Cordier told me last evening that during the day the Secretary-General had received a telegram from Foreign Minister Clementis in reply to his request for credentials for Houdek signed by Clementis and Beneš. Clementis had said that neither Papanek nor Kerno had held credentials signed by Beneš. The Czechs did not think such credentials were necessary, but, without prejudice to the future, they were sending credentials for Houdek signed by the President and himself. Credentials would arrive by mail.

The Secretary-General has now abandoned further attempts to inform Papanek that his credentials have been superseded by those of Houdek, since Papanek has refused on three occasions to accept such letters from the Secretary-General.



IO Files : US/S/438

*Memorandum of Conversation, by Mr. G. Hayden Raynor, Special Assistant to the Director of the Office of European Affairs (Hickerson)*

SECRET

[WASHINGTON,] April 12, 1948.

Subject: Czechoslovak Case

Participants: Dr. Papanek, former Czechoslovak Representative to the United Nations

Mr. Hayden Raynor, of the Department of State

Dr. Papanek spoke to me several times during this afternoon in the lounge and in the corridors at Lake Success.

[Among other things, Mr. Raynor and Dr. Papanek discussed the proposal that had just been presented to the Security Council that same day by the Chilean member, to the effect that a sub-committee of the Security Council should be appointed to hear "evidence, statements and testimonies" concerning the situation in Czechoslovakia. This was the second of two moves made by Chile regarding Czechoslovakia before the Security Council in as many months. The first had been made in a communication dated March 12, and resulted in placing the Czech item on the agenda of the Security Council, by virtue of bringing before the Security Council the allegations made in the aborted Papanek letter of March 10, that the political independence of Czechoslovakia had been violated by the threat of the use of force by the Soviet Union, and that this situation endangered the maintenance of international peace and security and should be brought to the attention of the Security Council. On occasion, the United States seemed about to assume an active role in the debate, and at meetings of the Security Council on April 6 and April 12, Ambassador Warren R. Austin, the United States Representative at the United Nations, won Security Council approval of a resolution asking the new Czech Government to participate without vote in the proceedings of the Council regarding Czechoslovakia (the Czech Government in the event declined to do so); and made a strong statement of some length (April 12) describing the events leading to the changes in the Czech Government. (Regarding these *démarches* by the United States, see United Nations, *Official Records of the Security Council, Third Year, No. 53*, pages 2-6, and *ibid.*, *No. 56*, pages 24-33.). The question of Czechoslovakia was before the Security Council in several forms during March-May 1948, and is usefully described in general terms in United Nations, *Official Records of the General Assembly, Third Session, Supplement No. 2, Report of the Secretary Council to the General Assembly 16 July 1947 to 15 July 1948*, pages 112 ff. In the latter stage, on May 24, the Soviet Union rejected the Chilean proposal of April 12 by use of the "double veto", that is, cast a negative vote ("veto") on

the preliminary question of whether the Chilean draft resolution were procedural; and then a negative vote ("veto") against the resolution itself. See also footnote 2, page 251.]

At least two times Dr. Papanek again mentioned the fact that he was still without official notice of his dismissal. I made no comment. (I am told by members of our Mission in New York that the only reason he has not been advised of his replacement by his successor is the fact that he has consistently refused to receive even registered letters from the United Nations on this point.) I do not know what he thinks he is accomplishing by this position. It may have something to do with funds. It is my feeling that the next time I speak to him I better make it very clear that insofar as we are concerned, we do not now regard him in any way as the Czechoslovak representative inasmuch as we have received proper papers concerning the appointment of his successor.

### III. UNITED STATES POLICY REGARDING THE QUESTION OF ADMITTANCE OF NEW MEMBERS INTO THE UNITED NATIONS<sup>1</sup>

501.AA/3-1248: Telegram

*The Secretary of State to the United States Representative at the United Nations (Austin)*

SECRET

WASHINGTON, March 12, 1948—6 p. m.

133. Please discuss urgently on confidential basis with principal UN Reps of U.K., France, Belgium, Canada and China question of Ital application UN membership.

You are authorized to base discussion on frank statement of importance forthcoming Ital elections (Apr 18) and vital importance that Communists do not win or indeed substantially increase their strength in these elections. Therefore in Dept's opinion no stone must be left unturned to block Communists. With French, Brit and Belgians you could add this even more important to them than to us. Under circumstances it will be most embarrassing for Soviets again to veto Ital application. Thus present would appear to be most likely time foreseeable future obtain favorable SC recommendation Ital application. If application approved West would gain the credit in Italy. If Soviets should again veto effect thereof would not fail to injure seriously Communists in coming elections. A third veto could be determining factor in election. You could point out Soviet recent action advocating contd Ital control former Ital colonies has greatly strengthened Communists in Italy.<sup>2</sup>

<sup>1</sup> Continued from *Foreign Relations*, 1947, vol. I, pp. 235-252.

<sup>2</sup> For documentation regarding the political situation in Italy, and the question of the disposition of the Italian colonies, see vol. III, pp. 816 ff and pp. 891 ff.

Dept realizes present may seem artificial time membership discussion SC and in light of past history may be necessary precede SC discussion by five-power consultations. Answer to argument this is artificial time is that as stated above it is time most likely to achieve approval Ital application. Furthermore Dept feels vitally important to proceed and to obtain backing of states mentioned above. For your background we feel if above states go along there is no question but that Argentina would do likewise and seven favorable votes thus be assured.

Dept also realizes may be necessary to consider all pending applications, on which its position unchanged except if Finland arises should be referred to Dept. In fact recent Czecho developments<sup>3</sup> make it more important than ever that states such as Hungary and Rumania not be admitted.

Dept feels reason which could be advanced publicly for bringing up matter this time is special provision in GA resolutions on Ital and Transjordan applications which calls for immediate reconsideration during the then meeting of the Assembly. Argument would be time did not then permit detailed reconsideration and matter was put over pending Big Five consultation. Argument would continue that SC has not therefore given sufficient weight to the urgent character of the provisions cited in those two resolutions and that it should remedy this situation at once.

In discussions you should attempt to obtain definite and quick responses to the following points: (1) Will country consulted go along with us? (2) Will country consulted agree to bringing up of matter at this time as to Italy and Transjordan only based on the special provisions in GA resolutions concerning those two states? (3) If matter broadened will they stand firm in opposing satellite applications other than Finland? On Finland, what is their present position? (4) In order to play down US-USSR struggle aspect would Brit and French agree to join with us in presenting this request (a) for consultation and (b) no matter what outcome this consultation immediate SC consideration? Immediate action is necessary as to be effective in Italy. SC itself should act not later than last week March.<sup>4</sup>

MARSHALL

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<sup>3</sup> For documentation regarding the political changes in Czechoslovakia, see vol. iv, pp. 733 ff.

<sup>4</sup> Instruction to Department's code room: "Please repeat to London, Paris, Nanking, Brussels and Ottawa with the additional statement: Foregoing is for you info in event matter raised with you after reference to Govt to which you are accredited by their UN rep.

"Also, add to telegrams to London, Paris, Brussels and Ottawa the additional statement: Will you also, on your initiative, discuss this matter with Govt to which you are accredited, explaining it is being raised in New York as well."



IO Files : US/S/299, also US/A/AC. 18/101

*Memorandum of Conversation, by Mr. Charles P. Noyes of the United States Mission at the United Nations*

SECRET

[NEW YORK,] March 13, 1948.

Participants: Mr. M. E. Bathurst, United Kingdom Delegation  
Mr. P. S. Falla, United Kingdom Delegation  
Mr. C. P. Noyes, United States Mission

*Italy*

I detailed to Bathurst and Falla our position on Italian Membership. They said they would send a telegram this afternoon to London putting forward our suggestion.

Their personal reactions were that there were a great many technical difficulties involved. They did not, for example, feel that the excuse of the difference between the General Assembly resolutions on Italy and Transjordan and the resolutions of the other five applicants was a very strong argument for taking these two up separately. Bathurst suggested that since that argument was flimsy we might as well be blunt about it and try to take up Italy all by itself. He also pointed out that various members of the Council might want to take up certain other applications at the same time—for example Ireland and Portugal. He appeared to have his mind open to the possibility that we might not make too much of an issue of treating Transjordan and Italy alone. Both he and Falla thought the time was very short and that this gave Gromyko all sorts of opportunities to stall the decision up until very close to the election and they agreed that it was essential that we be assured of sufficient support to drive this through quickly before undertaking any moves.

In regard to Finland, they indicated they were certain the Foreign Office was a good deal cooler on this application than previously. They intimated that their position was that Finland was about to become a Soviet Satellite and that they might therefore not be prepared to support her application. They said they would let me know immediately they received any reply from the Foreign Office.

In this connection I mentioned our position on the Burmese application contained in the Department's 134.<sup>1</sup> They had not received instructions on this point.

[Here follow discussion of the situation in Czechoslovakia and the problem of voting in the Security Council.]

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<sup>1</sup> The Mission was authorized to support Burma's application when considered, but not to take any initiative in bringing up the matter (501.AA/3-1248).

501.AA/3-1548: Telegram

*The Ambassador in France (Caffery) to the Secretary of State*

SECRET US URGENT

PARIS, March 15, 1948—6 p. m.

1358. I saw Bidault<sup>1</sup> for a few minutes just before the opening of the CEEC meeting this afternoon and spoke to him about the proposed reopening of the question of Italian application for UN membership. He did not have time to go into the matter fully but indicated "off-hand" that he was favorable to the idea (reDeptel 791, March 12).

He asked whether "consultation" (numbered paragraph 4A in reference telegram) meant consultation by the Big Five. I said that was my understanding.

Question is being discussed more fully with Chauvel<sup>2</sup> later this afternoon.

CAFFERY

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<sup>1</sup> Georges Bidault, French Minister for Foreign Affairs.

<sup>2</sup> Jean Chauvel, Secretary-General of the French Foreign Office.

501.AA/3-1548: Telegram

*The Ambassador in France (Caffery) to the Secretary of State*

SECRET US URGENT

PARIS, March 15, 1948—9 p. m.

1371. Following are French Foreign Office responses to numbered questions contained Deptel 791, March 12 regarding Italian application UN membership:

1. Yes.

2. Yes.

3. Subject will have to be given further study since in principle French state they have always believed in largest possible number admissions. On Finland they are "not unfavorable".

4-A. Yes, 4-B Yes.

CAFFERY

501.AA/3-1648: Telegram

*The Chargé in the United Kingdom (Gallman) to the Secretary of State*

SECRET

LONDON, March 16, 1948—noon.

1073. Question of Italian application UN membership (Deptel 881, March 12, 6 p. m.) was discussed informally with Mason head of UN Department Foreign Office and Crosthwaite head of Western De-

partment. Both emphasized that they could not indicate official British position until matters given close study.

Crosthwaite questioned certainty of propaganda advantage of raising question at present time particularly if Soviets took full advantage of weakness of case in singling out Transjordan and Italy from all other applicants. He granted that outright Soviet veto might be useful propaganda but said we must not underestimate Soviet ability to avoid being maneuvered into the position we wanted to get them into or their ability to make propaganda for their side if the thing got into a muddle. Crosthwaite, however, was of personal opinion that on balance "it was probably worth trying".

Mason pointed out that in light of Assembly's resolutions and Austin's letter of November 22, 1947 case for singling out applications of Transjordan and Italy was somewhat specious one and probably bad practice from point of view of long term good of UN. Also Great Britain would have to give some consideration to bad effects of singling out Italy and Transjordan and giving them preferential treatment over and above Portugal and Eire whose cases had been pending longer and who had reasons to expect better treatment from Great Britain. However, if political considerations in present Italian situation were overruling he thought Great Britain would want to go along with us in matter.

Informal answers to numbered questions are as follows:

(1) Subject to considerations outlined above Great Britain would probably be willing to go along with US but there must be firm agreement in advance as to course to be pursued at every step.

(2) Although case for bringing up Italy and Transjordan only regarded as very weak one circumstances probably justify attempting to make it stick.

(3) There is no change in British stand on satellite applications and they see no reason for any change at this time even in regard to Finland.

(4) In light of Assembly's resolutions and Austin's letter Mason felt consultation inevitable and hoped Crosthwaite believed British would be willing to pursue matter through consultation and on to early SC consideration. However, Mason said fact that SC already has very full schedule should not be overlooked.

They promised to let us know as soon as official British policy formulated and we pressed for an early decision.

GALLMAN



501.AA/3-1648 : Telegram

*The Chargé in Belgium (Millard) to the Secretary of State*

SECRET US URGENT

BRUSSELS, March 16, 1948—1 p. m.

531. Spaak<sup>1</sup> being away in Paris, I at once requested appointment with de Gruben<sup>2</sup> who was only able receive me this morning owing Brussels treaty negotiations; I discussed with him Deptel 379, March 12. He said Belgium was, of course, in favor going along with US on Italy and thought Russians would certainly veto Italian application which would have favorable effect in Italy. He had also been informed our views from New York. At first glance, matter seemed involve procedural questions with which he was not familiar; he thought these should be carefully considered to make sure that what we decide will not "backfire" on us. He would consult his expert on subject. I urged him move quickly in matter and requested he get in touch with me soon as he had anything to convey.

MILLARD

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<sup>1</sup> Paul-Henri Spaak, Belgian Prime Minister and Minister for Foreign Affairs.

<sup>2</sup> Baron Hervé de Gruben, Secretary-General of the Belgian Ministry of Foreign Affairs.

501.AA/3-1648 : Telegram

*The Ambassador in China (Stuart) to the Secretary of State*

SECRET

NANKING, March 16, 1948—3 p. m.

467. ReDeptel 391, March 12, 6 p. m. Vice Minister of Foreign Affairs has advised that in general China will support any position taken by US on admission of Italy and Transjordan by UN. He said he would provide Embassy with specific instructions on the subject to be sent to Chinese delegate, New York, as soon as they are ready.

STUART

501.AA/3-1248 : Telegram

*The Acting Secretary of State to the United States Representative at the United Nations (Austin)*

SECRET

WASHINGTON, March 19, 1948—3 p. m.

147. Replies recd re proposal Deptel 133 March 12 Ital membership application indicate we are justified in proceeding immediately. Will you therefore in concert your French and Brit colleagues make appropriate request in name of the three Dels for immediate Big Five consultation. Dept has no specific instructions re this consultation. You should be guided by our objective this matter which you know. Doubt-

ful if initial request can be limited. Request will almost of necessity have to be request for consultation on "membership". Most important, however, that possible stalling tactics not be allowed to succeed.

We feel request for SC consideration must be made so that it can be considered by SC during week beginning March 29. Every step in this matter should be taken after consultation with and in concert with UK and French Dels. If UK and French prefer when matter is placed on SC agenda to place question of Ital application only rather than Ital and Transjordan Dept will have no objection.

Canadian and Bel Dels should be informed going ahead proposed action and their suggestions if any given consideration. Some replies recd not entirely clear with respect to how countries will vote on satellite applications if necessary to do so. Kindly ascertain exact status that point but do not defer request for consultation on that account.

THORP

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501.AA/3-1748 : Telegram

*The Ambassador in France (Caffery) to the Secretary of State*

SECRET US URGENT

PARIS, March 17, 1948—4 p. m.

1412. Foreign Office states French representative at UN has been instructed to go along with us on the question of Italian application UN membership (Deptel 791, March 12).

In connection with numbered paragraph 3 mentioned in my 1371, March 15 Foreign Office states that France will stand firm in opposing all Soviet satellite applications other than Finland. If application of Finland is raised French will support it.<sup>1</sup>

CAFFERY

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<sup>1</sup> On information from the U.S. Mission at the United Nations, to the effect that France "would vote for all Soviet satellite applications except Bulgaria", the Department telegraphed New York that this report did not accord with information from Paris. "This was to effect French would oppose all satellites except Finland. We certainly hope Paris advice is correct. Please recheck." (Department's telegram 155, to New York, repeated to Paris as No. 901 with additional sentence: "Emb Paris also please recheck." File No. 501.AA/3-1748)

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501.AA/3-1848 : Telegram

*The Chargé in the United Kingdom (Gallman) to the Secretary of State*

SECRET

LONDON, March 18, 1948—11 a. m.

1102. Mason of Foreign Office has informed Embassy that official British position re Italian application for UN membership follows

closely that outlined informally as reported in Embtel 1073, March 16, Noon.

Mason stated British are not frightfully happy about technical aspects of case nor quite so certain as US as to value in Italian electoral campaign of support to Italian application at this time. Nevertheless, British are willing to go along with US. Instruction is going to British UN representative which takes line that if US wishes to go ahead, British will back US up.

GALLMAN

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501.AA/3-1848 : Telegram

*The Ambassador in Canada (Atherton) to the Secretary of State*

SECRET

OTTAWA, March 18, 1948—4 p. m.

21. My 20 March 15.<sup>1</sup> I am officially advised today that Canadian Government agrees to admission of Italy to UN and believes question should be raised in Security Council with least possible delay. The Canadian representative will be instructed to support admission.

So far as other outstanding applications are concerned although in a few weeks' time Canadian Government may be willing to give Finland's application favorable consideration dependent on how current negotiations between Soviets and Finland develop, it would not be prepared at this time to support applications for membership by other countries than Italy or Transjordan.

Under Secretary for State [for External Affairs]<sup>2</sup> makes following personal suggestion about a possible follow-up to a Soviet veto of Italy's application for membership: "That one of members of the Security Council which has supported Italy's admission might state in the Council after a Soviet veto that it intends at the next session of General Assembly to propose that Italy be given by Assembly all the rights and privileges of membership in Assembly with exception of right to vote."

Under Secretary believes this proposal constitutional since under its own charter it is master of its own procedure and has already extended to Jewish Agency an unofficial body right to participate in discussions and this it did with the support of the Soviet Union. Now in view of Under Secretary if the Assembly can permit an unofficial body to participate in its discussions it would seem to be reasonable to conclude that it could permit a non-member state to participate. This non-member state might be called an associate member since it

<sup>1</sup> Not printed.

<sup>2</sup> Mr. Lester B. Pearson.



could not of course be called a member of Assembly. He furthermore points out a decision to admit Italy as an associate member of Assembly would require by two-thirds vote but he believes this might be possible to secure. Such an admission of Italy as an associate member would, Under Secretary agrees, establish a precedent for those nations whose applications had been vetoed by the Security Council but he does see danger in this and points out it would, for example enable Assembly to admit Ireland as an associate member.

ATHERTON

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501.AA/3-1848 : Telegram

*The Acting Secretary of State to the Embassy in the United Kingdom*

SECRET US URGENT

WASHINGTON, March 20, 1948—2 p. m.

1003. As forecast re urtel 1102 Mar 18 UK Del N.Y. has been instructed to support us on Ital application matter but not to join with us in raising matter. French have agreed to join with us in raising matter. In view thereof UK Del requesting further clarifying instructions and recommending they be instructed to join with French and ourselves.

Will you urge this point of view on FonOff pointing out curious position Brit would be in if they did not join with French and ourselves and stressing point that we feel tripartite presentation matter will be much more effective.

UK Del N.Y. advises FonOff concerned over matter seven votes. You can assure FonOff result our consultations no question of the following six votes: U.S., U.K., France, China, Canada and Belgium. You can add that although we have not consulted we feel there is no doubt that Argentina will also vote favorably.<sup>1</sup>

THORP

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<sup>1</sup> Repeated to New York as telegram 156.

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501.AA/3-1848 : Telegram

*The Secretary of State to the Embassy in Canada*<sup>1</sup>

SECRET

WASHINGTON, March 23, 1948—3 p. m.

46. Please inform Pearson reurtel 21 March 18 we welcome his idea. Our own thinking at this point is that we should not now go beyond

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<sup>1</sup> Repeated to New York as Dept.'s 159, with the following additional paragraph: "You are instructed to discuss this question with Brit, French, and Canadian Dels and in your discretion other suitable Dels. Dept wishes to have benefit these consultations before definitely formulating position but is sympathetic to Pearson's suggestion."

announcing intention of seeking in next GA observer status for Italy. In our view, associate membership in GA is not contemplated in Charter. You may also inform Pearson our Mission N.Y. being instructed to discuss with other suitable Delegations.

MARSHALL

501.AA/3-2348

*Memorandum of Conversation, by the Assistant Chief of the Division of International Organization Affairs (Popper)*

SECRET

[WASHINGTON,] March 23, 1948.

Participants: Sir John Balfour, [Minister] British Embassy  
Mr. Henderson, British Embassy  
EUR: Mr. Llewellyn Thompson  
SE: Mr. Walter C. Dowling  
UNA: Mr. Dean Rusk  
OA: Mr. David H. Popper

Sir John stated that Mr. Bevin and the Foreign Office had grave doubts as to the desirability of our raising in the Security Council the question of Italy's application for United Nations membership. The British considered that if the matter were raised in this way it would be stigmatized as election propaganda by the Communists in Italy and would thus lose much of its effectiveness. They also felt that the obvious political character of the manoeuvre would injure still further the prestige of the United Nations. They questioned particularly what they understood to be our proposal not to consider the application of Trans-Jordan along with that of Italy, pointing out that the special stress on expeditious procedure with regard to these two applications during the last General Assembly gave at least some legal coloration to extraordinary consideration of the two applications together at this time. Sir John also mentioned the possibility that the Soviets might move for the consideration of all pending membership applications or might revive their proposal for a deal involving the admission of Italy and the Balkan Satellites. He suggested that, if we were determined to proceed with the Italian application, we should delay action until some time closer to the date of the Italian election, on the assumption that the step might appear less blatantly propagandistic if it did not immediately follow the Trieste *démarche*.

Sir John stated that the United Kingdom Delegation in New York had reported that our delegation was planning to invite the Russians

immediately to a consultation on March 25, with a view to a Security Council meeting on the Italian application on March 30.

By way of a preliminary reaction, Sir John was informed that in our view there was a considerable advantage to be gained in Italy by taking the initiative in this matter, particularly since the Russians might otherwise do so. It was stated that any disadvantage which we might suffer from bringing the matter up would be apparent not in Italy but outside that country. It was our feeling that if the Soviets attempted to link the admission of Italy with that of the Balkan Satellites, Italian pride would be injured and our own position aided. There was, furthermore, some possibility that the Soviets might not at this stage veto the application.

We said that we were not aware that there had been any firm decision to drop consideration of the Trans-Jordan application and indicated that we would seek further information on this point.

As regards procedure, we suggested that it might be desirable to begin the process of consultation at once but to delay actual discussion and a vote in the Security Council for a period of about ten days. Sir John appeared to favor a longer interval of perhaps two weeks before a vote was taken. We also suggested that Sir John might wish to report our comment as the Department's preliminary reaction, but that we would make a further check on the subject and would give him more definite views.

D[AVID] H. P[OPPER]

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501.AA/3-2348 : Telegram

*The Chargé in the United Kingdom (Gallman) to the Secretary of State*

SECRET

LONDON, March 23, 1948—7 p. m.

1194. Foreign Office informs Embassy that instructions have been sent to British delegation New York and repeated to British Embassy Washington in reply to urgent telegram of March 22 from British delegation concerning revised proposal to bring up Italy's application for UN membership only without linking it with Transjordan application. Foreign Office believes that there are several objections to raising Italian case only among them the following:

(1) Technically there is no basis for considering Italian application without simultaneous consideration of Transjordan application. It would give Russia opportunity to insist that case of satellites be considered simultaneously.



(2) Soviets have never objected to admission of Italy and if we refuse to consider satellite applications it would afford Soviets opportunity to make counter-propaganda. Results might easily be opposite of those desired by US.

(3) Such obvious tactics with eye on Italian elections might even lessen good done by tri-partite action on Trieste which so far is judged by Foreign Office to have had excellent results.

(4) Blatant use of UN for propaganda purposes is something for which we criticize Soviets and where gain to US so uncertain it would be pity to resort to Soviet type of maneuver, thereby giving them basis for arguing that we, too, use UN for propaganda purposes.

Mason indicated he hoped US would either abandon its intention entirely to bring up Italian case only, or at least to await developments for fortnight which would give time for further evaluation of possible results and action before Italian elections.

Opinion in Foreign Office indicated by both Mason and Crosthwaite is hardening into belief that raising question of Italian application would at best have negligible election propaganda value and might in fact have opposite effect and even impair good done by action on Trieste.<sup>1</sup>

GALLMAN

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<sup>1</sup> For documentation regarding the Trieste question, see vol. III, pp. 549 ff.

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501.AA/3-2548 : Telegram

*The Secretary of State to the Embassy in Italy*

SECRET

US URGENT

WASHINGTON, March 25, 1948—1 p.m.

NIACT

826. For the Ambassador. As you know, Dept has proposed US, UK and France request Security Council reconsider Ital application UN membership in light GA favorable recommendation. Brit FonOff feels, however, gesture at this time might detract from effectiveness Trieste declaration and could in any event be met by Communist counter propaganda to effect USSR favored admission Italy and Balkans, but Western powers blocking Soviet desires.

Dept urgently desires your views in light present Ital situation, as well as any informal Ital reaction you may have.

MARSHALL

501.AA/3-2548: Telegram

*The Ambassador in France (Caffery) to the Secretary of State*

SECRET

PARIS, March 25, 1948—8 p. m.

1607. Despite the information contained in my 1412, March 17 (which was given us by a qualified official in the European Division), to the effect that French would oppose all Soviet satellites except Finland, as a result of a disagreement between Foreign Office's European Division and Broustra (who is in charge of UN affairs at the Quai d'Orsay), instructions to oppose all satellites except Finland have not yet gone forward. I pressed this matter again with Bidault yesterday, however, and he agreed to go along with us and said he would so instruct Broustra.

CAFFERY

501.AA/3-2648: Telegram

*The Chargé in Belgium (Millard) to the Secretary of State*

SECRET

BRUSSELS, March 26, 1948—7 p. m.

618. Loridan<sup>1</sup> confirms instruction sent Belgian representative UN as he recommended (reported Embassy's telegram 596, March 24<sup>2</sup>), i.e., for admission Italy, Transjordan, and Finland and against Bulgaria, Rumania, and Hungary.

MILLARD

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<sup>1</sup> Walter Loridan, Director-General of Political Affairs, Belgian Ministry of Foreign Affairs.

<sup>2</sup> Not printed.

501.AA/3-2648: Telegram

*The Ambassador in Italy (Dunn) to the Secretary of State*

SECRET

NIACT

ROME, March 26, 1948—9 p. m.

1360. I discussed informally matter of Italian membership in UN with Count Sforza.<sup>1</sup> (ReDeptel 826, March 25, 2 p. m.). He said that he would like to give the question further consideration but his first reaction was that it was too soon now after the Trieste move to push the application. He said that membership in the UN was no longer in the minds of Italian public an essential prerequisite for betterment of Italy's position under the treaty as manifested by the move made

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<sup>1</sup> Count Carlo Sforza, Italian Minister for Foreign Affairs.

by the three nations with respect to Trieste. He said also that the Italians generally were so grateful for American initiative in the Trieste matter that a second move for reconsideration of UN membership was not necessary at least so soon after the other. He said he wished his initial reactions to be considered entirely informal and rather in the manner of a preliminary discussion of the question by him and that we would have a further discussion on the subject when he had had more time to think it through.

In my opinion this preliminary position should not cause us to abandon the idea but rather to consider the timing of when it might be brought up.

DUNN

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501.AA/3-2848 : Telegram

*The Ambassador in Italy (Dunn) to the Secretary of State*

SECRET URGENT

ROME, March 28, 1948—7 p. m.

1386. Remytel 1360, March 26. When I saw Sforza yesterday at his request, he informed me that he had given further thought to question of Italian application for membership in UN. He said that it was his considered opinion that it would be very helpful to electoral situation here if Italian application for entry into UN were pushed prior to elections. The main consideration was of course matter of timing which should not be too soon after Trieste move.

DUNN

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501.AA/3-3148 : Telegram

*The Acting Secretary of State to the Embassy in France*<sup>1</sup>

SECRET

WASHINGTON, March 31, 1948—6 p. m.

1031. De La Tournelle<sup>2</sup> on Friday<sup>3</sup> again stated to our Reps New York that if voting necessary on satellite applications France would vote favorably for all except Bulgaria.<sup>4</sup> If instructions have not been

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<sup>1</sup> Repeated to New York as telegram 175.

<sup>2</sup> Guy Le Roy de La Tournelle, Alternate Representative of France on the Security Council.

<sup>3</sup> March 26.

<sup>4</sup> The following is recorded in a memorandum of conversation of March 26 by Mr. Gordon Knox of the United States Mission at the United Nations: "De La Tournelle (France) repeated to the United States Mission that France would vote to admit Italy to United Nations membership. France would not raise the issue of admission of other states at this time, but if this question were raised by some other state, France would vote in favor of the admission of all states which have been considered to date by the Security Council except for Bulgaria. France would refuse to vote for Bulgaria because of the 'murder' of Petkov. [Nikola D. Petkov, Bulgarian minister without portfolio and secretary-general of the



changed please continue to urge on FonOff view that satellite applications with possible exception of Finland should be opposed.

LOVETT

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Agrarian Party (leader), was executed after Bulgarian trial on Sept. 23, 1947. The Department of State in a press release of the same date labelled the trial and execution of Petkov as a "travesty of justice". This Government had made representations on behalf of Petkov following his trial. For documentation on this subject, see *Foreign Relations*, 1947, vol. iv, pp. 51 ff.]

"France, of course, would not use the veto regarding the admission of states to membership." (IO Files, document US/S/357)

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501.AA/4-148 : Telegram

*The Acting Secretary of State to the United States Representative  
at the United Nations (Austin)*

SECRET

WASHINGTON, April 1, 1948—7 p. m.

178. Confirming Raynor-Noyes conversation Dept feels UK-French-US proposal for reconsideration Ital and Transjordan membership applications should be made by letter addressed to Secy Gen on Fri or Sat this week. If SC approves calling special session<sup>1</sup> today letter should include ref to calling of special session. If this action not taken today letter should ref to probability of special session and should immediately follow our letter requesting SYG poll members. In either instance letter should tie special session concept to fact that special provisions in GA resolutions on Ital and Transjordan have not recd adequate SC consideration. Dept feels discussion in SC must take place no later than Fri Apr 9. You are granted discretion whether or not to refer to that specific date in letter to Secy Gen. Dept feels invitation for Big Five consultation on this matter should immediately follow dispatch of letter to Secy Gen.

LOVETT

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<sup>1</sup> A special session of the General Assembly was proposed to consider the Palestine question.

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501.AA/4-1448 : Telegram

*The Ambassador in France (Caffery) to the Secretary of State*

SECRET

US URGENT

PARIS, April 1, 1948—9 p. m.

1706. Following Bidault's agreement to go along with US in opposing the admission to UN of all Soviet satellites except Finland and his statement that appropriate instructions would be sent to the French representative at Lake Success (my 1607, March 25) I was informed on March 30 that there had been a modification in the French position and that an instruction had been sent to Parodi to oppose

Bulgaria's admission but only to abstain in the case of the other satellites.

I called on Bidault subsequently and told him that in view of his previous assurances I failed to understand the reasons for a change in the French position. He replied with great embarrassment stating that subsequent to our conversation he had re-examined the question and had modified his views because 1) in view of fact that French had previously supported all satellite applications except Bulgaria a complete reversal of their original position would appear "illogical"; 2) he believed that French abstention would be just as effective from US point of view as a direct vote against.

I replied that I could not agree with him and that in my opinion it was illogical of the French to oppose Bulgaria's admission because Petkof had been hanged and to take a different position in regard to the other satellite states which had similar regimes, which had committed similar atrocities to the Petkof hanging and were all puppets of Moscow. I expressed the hope he would stand by his March 24 statement to me.

Bidault promised to look into the matter again but he did not repeat his earlier assurances.<sup>1</sup>

CAFFERY

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<sup>1</sup> In telegram 1711, April 2, 3 p. m., Ambassador Caffery reported: "Bidault sent me word last night that he had decided to go along with us on opposing the admission to UN of all Soviet satellites except Finland (mytel 1706, April 1) and that instructions in this sense would be sent to Parodi [Alexandre Parodi, Permanent Representative of France at the United Nations] today." (501.AA/4-248)

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501.AA/4-348: Telegram

*The United States Representative at the United Nations (Austin) to the Secretary of State*

NEW YORK, April 3, 1948—4:35 p. m.

375. Letters sent today to Gromyko, Parodi, Tsiang and Cadogan by me inviting them to a meeting in my office at a convenient time April 6 or 7 for purpose of consulting on membership applications of Italy and Transjordan. Letter noted that in accordance with GA recommendation of November 17, 1947 it will be appropriate for permanent members to consult with regard to these applications. Have suggested that time be set during our consultation on afternoon of April 5.

AUSTIN

501.AA/4-348 : Telegram

*The United States Representative at the United Nations (Austin) to  
the Secretary of State*

NEW YORK, April 3, 1948—4:38 p. m.

376. Letter to Lopez, Security Council President, requesting that applications of Italy and Transjordan for membership in UN be placed on Security Council provisional agenda for reconsideration was signed by Parodi, Cadogan and myself today and delivered to Lopez and Secretary-General. Letter pointed out that on November 17, 1947 General Assembly recommended that applications be reconsidered, that Security Council unable to make favorable recommendation and matter was postponed. Letter continued that in view of fact that General Assembly special session meets on April 16, it is believed appropriate for Security Council to reconsider applications at this time.<sup>1</sup>

AUSTIN

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<sup>1</sup> This letter was printed as United Nations document S/709, April 3, 1948.

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501.AA/4-748 : Telegram

*The Acting Secretary of State to the United States Representative at  
the United Nations (Austin)*

SECRET

WASHINGTON, April 7, 1948—7 p. m.

196. Confirming Raynor-Noyes conversations, Dept's further instructions on membership question follow:

(1) In view Ukrainian action in requesting reconsideration satellite applications,<sup>1</sup> action should be taken immediately to request reconsideration applications of Portugal, Eire and Austria. Would be preferable if request made by UK France and us but if other two reluctant to do so we should make request unilaterally. This may be necessary at least in case of Austria as in past France and UK have been unwilling to go as far as we have on Austrian application.

(2) While, as you have been informed, we feel we can not object to the Ukrainian item being placed on agenda, we do feel we have every right to insist that our request covering Ital and Transjordan be acted upon first. Every effort should be made to accomplish that result. Otherwise danger of stalling is enhanced.

(3) Dept feels US should cast negative votes on applications of Alb, Bul, Rumania, Hungary and Outer Mongolia, if this can be done

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<sup>1</sup> This request was printed in United Nations document S/712, April 5, 1948.



without exercise of veto. Caffery advises French Del has been instructed in this sense. Brit and Chinese should be urged to do likewise. Please also consult Chinese on voting question.

(4) Dept feels every effort should be made to have SC consider Ital and Transjordan applications Fri of this week and under any circumstances not later than Mon of next week.

(5) Dept would be reluctant to vote against Finnish application and under certain circumstances would be disposed to vote favorably thereon. However if all other applications are blocked Dept would be reluctant to see Finland alone approved and under such a contingency would probably desire to abstain. Instructions therefore on Finland can not be finalized pending developments but above is given to you for guidance.

LOVETT

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501.A Summaries/4-748: Telegram

*The United States Representative at the United Nations (Austin) to the Secretary of State*

SECRET

NEW YORK, April 7, 1948—11:55 p. m.

398 [Daily Classified Summary No. 44.] Membership. At a private Big Five meeting in USUN offices April 7, after Austin noted the proposal to reconsider applications of Italy and Transjordan, Gromyko (USSR) said the position of the Soviet Union was well-known and had not been changed; he could not agree to the admission of Italy without at the same time Bulgaria, Rumania, Hungary and Finland being admitted. As far as Transjordan was concerned, Gromyko said the USSR would be willing to vote favorably if Outer Mongolia and Albania were also admitted.

Cadogan (UK), pointing out he had said many times earlier no state was entitled to link its approval of one applicant with approval of any other, said Gromyko's position was based on an incorrect interpretation of the Potsdam Declaration; that the Declaration was never intended to bind signatories to admit ex-enemy states regardless of whether they had committed an act of aggression, or some similar act.

Stating the GA had given the applications of Italy and Transjordan a kind of priority, Tournelle (France) thought it preferable for the SC to deal with these two only. However, it was open to other states to ask for additional applications to be placed on the provisional agenda. Gromyko said the GA could not bind the SC.

Austin noted the Ukraine had requested that the applications of a number of additional states be placed on the provisional agenda, and

he thought that, if this were going to be done, the other states of Eire, Portugal and Austria should also be considered by the council. Gromyko pointed out this depended upon whether a state raised the matter formally.

Tsiang (China) hoped that Burma's application, which had been approved by the membership committee, would not be mixed with the others. Gromyko and the others agreed.

[Here follow other subject summaries.]

AUSTIN

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IO Files: US/S/404

*Memorandum of Conversation, by Mr. Charles P. Noyes of the United States Mission at the United Nations*

SECRET

[NEW YORK,] April 7, 1948.

Participants: Sir Alexander Cadogan, United Kingdom Delegation  
M. de la Tournelle, French Delegation  
Ambassador Austin, United States Mission

After the Big Five meeting on Membership was over, we discussed tactics. It was agreed that we should jointly propose Eire, Portugal and Austria for the provisional agenda.<sup>1</sup> It was agreed that it would be preferable to have the Council meet on Friday and it was essential that final decision be taken before the end of next week. It was agreed that we should take the applications in the order in which they appeared in the letters requesting that they be put on the agenda and that each application should be discussed and voted on before the next one was considered.

We discussed the position we would take on the individual applications. We stated we would prefer to vote No on Rumania, Bulgaria, Hungary, Albania and Outer Mongolia and would do so if the French and British would also do so.

Sir Alexander indicated he would have to look up his instructions. He seemed to favor all acting alike.

M. de la Tournelle said his instructions were to vote No on Bulgaria and to abstain on the others.

As to Finland, the British and French seemed to feel they would favor. We said we had to get additional instructions on this question.

C. P. NOYES

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<sup>1</sup> For text of this communication, see United Nations document S/715, April 7, 1948.

IO Files : US/S/430

*Memorandum of Telephone Conversations, Separately, by Mr. Charles  
P. Noyes of the United States Mission at the United Nations*

SECRET

[NEW YORK,] April 8, 1948.

Participants: Mr. Luciano Mascia, Italian Observer to the United Nations

Mr. V. G. Lawford, United Kingdom Delegation

Mr. C. P. Noyes, United States Mission

MASCIA said his Government could not send him a new letter without a financial reservation. We would have to do our best with the old application.

LAWFORD advised that the British Foreign Office approves the Delegation's action on Austria.

They are instructed to give priority to Italy and Trans-Jordan. As far as the Austrian application is concerned, they are not to take the lead. They do not wish Austria to be admitted before Italy or Eire. They hope they will not be asked to do more than approve a resolution similar to the Australian Resolution last fall. They will support such a resolution. If there is a strong drift in the direction of supporting Austria's application without any reservation, they would support it reluctantly, so as not to be left behind. They will join in voting against Albania, Outer Mongolia, Rumania, Bulgaria and Hungary. On Finland they will follow the United States lead. In any case, they will abstain rather than vote against. On Italy they will make a strong speech either after the U.S.S.R. has spoken in opposition to Italy or perhaps after the Russians have vetoed Italy's application.

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501.AA/4-848 : Telegram

*The Acting Secretary of State to the United States Representative at  
the United Nations (Austin)*

CONFIDENTIAL

WASHINGTON, April 8, 1948—6 p. m.

200. Suggested statement to be made at opening discussion Ital membership application follows:

McKeever should coordinate closely with Voice of America people N.Y. to insure best possible coverage of statement Ital. Mission should also work closely with Mascia this connection.

"The United States has consistently given its full support to the application of Italy for admission into the United Nations. Today, I have the honor to reaffirm the support of the United States for Italy's application.



Even before the ratification of the Treaty of Peace with Italy, the United States maintained that as a co-belligerent with the Allies from 1943 to 1945, and as a country which had made enormous strides forward under heavy handicaps in her own postwar rehabilitation, Italy was entitled to special consideration by this body of freedom-loving nations. Indeed, this special position of Italy was recognized by my Govt and the Govts of the United Kingdom and Soviet Union at Potsdam. A special para on Italy was included in the agreed-upon communique issued at the end of that meeting, and it was agreed that the preparation of a peace treaty for Italy should be the first task of the Council of Foreign Ministers. After the ratification of the peace treaty, no shadow of an excuse remained for the persistent exclusion of Italy from membership in the United Nations.

My Govt, together with the Govts of the U.K. and France, has requested this renewed consideration of the Ital application. Speaking for my Govt, this action is taken because we have the firm conviction that an injustice has been done to Italy. This nation of 45 million people meets, by any conceivable standard, the qualifications laid down in Art. 4 of the Charter concerning membership. This has not been questioned. My Govt feels therefore that it should do everything within its power to bring about a correction of this injustice. It believes this opinion is shared not only by most of the members of this Council but by an overwhelming majority of the total membership of the United Nations. This was made abundantly clear in the resolution on Italy's application which was passed at the last meeting of the General Assembly. In the opinion of my Govt the Security Council has not, thus far, given proper weight to that resolution. True, it did meet briefly on the question while the Assembly was still in session, but the members of this Council who were sitting on the Council at that time will recall that the matter was not exhaustively considered after the Soviet rep made known that his negative attitude towards the admission of Italy had not changed.

As the members of the Council will also recall, the Soviet Union has attempted in the past to tie the Ital application with the applications recd from the other ex-enemy states. This course of action, to our minds, is completely unjustified. Each application must, in conformity with the Charter, be considered on its own merits. The Soviet Union by attempting to place the Ital application in the same category as the applications recd from states which this Council has determined to be unqualified for membership does a grave injustice to the Ital people. Surely, there is no justice in penalizing a people who have proved themselves to be qualified for membership, by coupling them with states which by their own actions have shown they are clearly disqualified.

This attempt at bargaining is surely beneath the dignity of this Council.

If on this renewed reconsideration of the Ital application the same tactics are attempted, and if this Council should unfortunately fail to recommend Italy's admission, the world will have no doubt as to the reason for this injustice. The world can interpret the act in no other way than as an expression by the Soviet Union of a lack of friendship for the people of Italy.

In conclusion may I stress again that Italy's record clearly merits admission to the United Nations. The Ital people have suffered greatly, they have worked hard, and they have proven to the satisfaction of my Govt and, I believe, to that of all democratic nations, that they have earned their right to a seat in the world's councils. My Govt has faith in the Ital people. It asks that they be granted immediately their rightful position among the nations. It holds that their contribution to the world community, based on generations of spiritual and intellectual attainment, will add immeasurably to the betterment of that community. It maintains that further to deny or condition in any way Italy's admission to the United Nations is to express a lack of faith in her people, that it is without moral or juridical justification as I interpret the principles of the Charter, that it is unfriendly to a free democratic nation, and that it is unworthy of any nation or nations represented here."<sup>1</sup>

LOVETT

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<sup>1</sup>The Security Council considered the membership items on its agenda at two meetings on April 10; for the proceedings see United Nations, *Official Records of the Security Council, Third Year, No. 54*, pp. 5 ff., and *ibid.*, No. 55. (It may be observed parenthetically that as the first order of business at the first of these two meetings that the Security Council unanimously approved the application of the Union of Burma for membership in the United Nations, and so recommended to the General Assembly. The General Assembly adopted the Security Council's recommendation and admitted Burma to the UN on April 19.)

The vote on the Italian application being a substantive matter, it did not carry as one of the permanent members voted against the resolution. When the Security Council assembled at the next meeting to take up the applications of the remaining ten countries (Albania, Austria, Bulgaria, Finland, Hungary, Ireland, the Mongolian Peoples Republic, Portugal, Romania and Transjordan), it was decided simply to inform the General Assembly that after reconsideration of the matter, the Security Council found that none of its members had changed their position from that which already stood on the record.

501.AA/6-2548 : Telegram

*The Secretary of State to the Acting United States Representative at the United Nations (Jessup)*

CONFIDENTIAL

WASHINGTON, June 25, 1948—7 p. m.

432. Reurtel 815 June 24 you are authorized support Ceylon application for membership UN. Dept preparing statement re Ceylon application which you may make on appropriate occasion.<sup>1</sup>

MARSHALL

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<sup>1</sup> In a meeting on August 18 the Security Council considered the report of its Committee on the Admission of New Members, concerning the application of Ceylon; and the first statement was made by the U.S. Representative at the United Nations, Ambassador Warren R. Austin. The Security Council failed to take favorable action in recommending Ceylon for membership, since a negative vote was cast by a permanent member. For the proceedings of the meeting on this matter, see United Nations, *Official Records of the Security Council, Third Year, No. 105*, pp. 3 ff. For the brief special report submitted by the Security Council to the General Assembly on the subject, see United Nations document A/618, August 23, 1948.

501.AA/7-2248 : Telegram

*The Secretary of State to the Acting United States Representative at the United Nations (Jessup)*

WASHINGTON, July 29, 1948—7 p. m.

489. Reurtel 939 July 22.<sup>1</sup> You may answer inquiries by saying we would support an application by Israel. There is, however, no effective deadline for SC approval of applications for GA action this autumn, except end of session of GA itself. Thus in 1946, Siamese application was, at Siamese request, considered and approved by SC on December 12 and approved by GA on December 15, last day of session.<sup>2</sup>

Our position re Israeli qualifications (Art. 4) is that Israel is a peace-loving State that accepts and is able and willing to carry out obligations of Charter. We assume that Israeli application, when submitted, will contain formal undertaking to that effect in accordance with SC Rule 58 and GA Rule 123.<sup>3</sup> In our opinion, Part I, F, of Partition

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<sup>1</sup> In an approach to the Acting U.S. Representative on July 22, Mr. Abba Eban, observer for the Provisional Government of Israel at the United Nations, had raised the question of Israel's application for membership in the United Nations. Mr. Jessup had requested the comments of the Department of State.

<sup>2</sup> For documentation on this matter, see *Foreign Relations*, 1946, vol. 1, pp. 357 ff.

<sup>3</sup> For a summary of the 1947 change in rules governing the procedure for the applicant for admission, see United Nations, *Yearbook of the United Nations*, 1947-48, pp. 489 ff. Applicant states were now required to submit a declaration adhering to "the obligations contained in the Charter" before acceptance in the Organization, rather than after as previously.



Resolution of 29 November 1947 would not preclude present admission of Israel.<sup>4</sup>

MARSHALL

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<sup>4</sup>For documentation regarding the General Assembly Resolution of November 29, 1947, see *Foreign Relations*, 1947, vol. v, pp. 999 ff. The section in question stated that "sympathetic consideration" would be given both to the Arab state and the Jewish state in their applications for admission to the United Nations. The November 29 resolution had envisioned the partition of Palestine into two such states.

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501.AA/7-3048: Telegram

*The Secretary of State to the Acting United States Representative at the United Nations (Jessup)*

WASHINGTON, July 30, 1948—7 p. m.

496. Re recent inquiries on so-called associate membership,<sup>1</sup> following views of Dept may be communicated to interested dels:

1. Dept does not plan to submit for agenda of coming GA session question of participation in GA proceedings by qualified non-Member States. Our impression is that most of qualified States, such as Italy, will probably not wish status short of full membership.<sup>2</sup> We continue to believe that such States deserve full membership. Recent Advisory Opinion of ICJ has clarified and emphasized duty of UN Members

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<sup>1</sup>From time to time the impasse in the Security Council regarding admittance of new members gave rise to the view that applicant states whose admission had been prevented by this deadlock should be given some form of participation in the work of the United Nations on an informal basis short of full membership. The United States itself had given a particular stimulus to this idea, when, after the Soviet refusal to recommend Italy on April 10, Ambassador Austin had stated:

"It would appear desirable in these circumstances for attention to be paid to the possibility of devising means whereby such States may be able to have a voice in the General Assembly of the United Nations. The General Assembly of the United Nations is the master of its own house. It could, therefore, choose a method which, at least in part, would do away with the present unfair and unjust disqualification of nations which have every moral right to become Members of the United Nations. Such a formula which would permit the voice of Italy and of certain other States to be heard in the General Assembly of the United Nations, can and should be found." (United Nations, *Official Records of the Security Council, Third Year, No. 54*, p. 16)

The Department of State subsequently modified its views in this respect for reasons indicated in this document.

<sup>2</sup>The Department had made a special effort to get an official expression of the Italian Government on this matter, making specific approaches to the Italian Embassy in Washington and to the Italian observer at the United Nations in New York (memorandum of conversation, July 12, 1948 (501.BB/7-1248), and USUN memorandum of conversation, May 25, 1948 (IO Files, document US/S/538), respectively). On July 23 Mr. Luciano Mascia, the Italian observer, informed the United States Mission that he had heard from his government "which quite clearly is opposed to anything short of full membership" (telegram 947 from New York, July 23, 1948, 501.AA/7-2348).

in participating in consideration of membership applications by SC and GA, to apply solely the criteria set forth in Art 4. We think, especially in light of this opinion, that problem of participation of qualified States in UN should still be considered in terms of full membership rather than of subordinate status.<sup>3</sup>

2. Above considerations apply equally to any suggestions of this nature made by other Govts, such as informal Canadian suggestion re associate membership. In light of these considerations questions as to precise type of participation in GA which could properly be granted non-Members does not seem to require decision at present. We would appreciate knowing whether Canadians intend any proposal this subject.

MARSHALL

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<sup>3</sup> Regarding the Advisory Opinion of the International Court of Justice, given on May 28, 1948, in response to a General Assembly resolution of November 17, 1947, see *Conditions of Admission of a State to Membership in the United Nations (Article 4 of the Charter) Advisory Opinion of May 28th, 1948*: I.C.J. Reports 1948. A summary is found in *Yearbook of the United Nations, 1947-48*, pp. 796 ff.

In the resolution of November 17, 1947, the General Assembly requested the International Court of Justice to give an advisory opinion on the following questions:

"Is a Member of the United Nations which is called upon, in virtue of Article 4 of the Charter, to pronounce itself by its vote, either in the Security Council or in the General Assembly, on the admission of a State to membership in the United Nations, juridically entitled to make its consent to the admission dependent on conditions not expressly provided by paragraph 1 of the said Article? In particular, can such a Member, while it recognizes the conditions set forth in that provision to be fulfilled by the State concerned, subject its affirmative vote to the additional condition that other States be admitted to membership in the United Nations together with that State?" (*Advisory Opinion of May 28th, 1948*, p. 58)

By a vote of nine votes to six, the Court answered both questions in the negative (*ibid.*, p. 65).

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501.AA/7-3048 : Telegram

*The Secretary of State to the Acting United States Representative at the United Nations (Jessup)*

CONFIDENTIAL

WASHINGTON, July 30, 1948—7 p. m.

497. Dept requests you ascertain informally views of several other SC dels, particularly Belgian, UK, Canadian and Chinese, re further consideration of rejected applications by SC and GA. We assume that Apr 7 five power consultation and Apr 10 SC meeting constituted compliance with requests of GA embodied in 1947 membership resolutions. SC membership report to GA should state this clearly.

Dept's tentative view is that, barring some unforeseen change, SC reconsideration of old applications before GA would probably not

advance our policy of securing admission qualified States, since it would probably not result in approval of any applicant and might diminish even further the possibility of later approval. However, if SC consideration of new application or applications leads some Member to propose reconsideration of old applications, we should not object.

Your views invited on the above.

MARSHALL

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501.AA/8-1748 : Airgram

*The Secretary of State to the Legation in Ireland*

CONFIDENTIAL

WASHINGTON, August 17, 1948.

A-120. The Department has noted statements by MacBride in the Dail on July 20th that the Irish Government may find it necessary in the near future to consider withdrawing Ireland's application for membership in the United Nations. Such action would be received with regret by this Government. It would be open to the interpretation that Ireland was less anxious to play her part in the community of nations, an interpretation at variance with the main purport of MacBride's speech and with the general course of recent Irish foreign policy. It would also be a further reflection upon the prestige of the United Nations, at a time when all efforts are needed to maintain the authority of the organization. Although Irish sensibilities have no doubt been wounded by the failure to obtain admission to membership, the reason for this failure, namely the veto of the Soviet Union given upon grounds not provided for in the Charter, reflects no discredit upon Ireland and cannot damage her position in world opinion. On the other hand, it is difficult to see what benefits, if any, would accrue to Ireland from withdrawing the application.

The United States has voted for the admission of Ireland in the past and is preparing to support the Irish application during the forthcoming General Assembly. The general line of our argument is expected to be that Ireland fulfills the qualifications for membership prescribed in the Charter; that it is a peace-loving state able and willing to accept the obligations of membership; that in its relations with other states and with other international organizations it has demonstrated respect for international commitments; and that for all these reasons Ireland should be allowed to accept the privileges and benefits, as well as the duties, which flow from membership in the organization. While we cannot hold out any hope that the veto will not be used again, the Department feels that more is to be gained by keeping the matter



open before the United Nations than by proposals such as MacBride's to withdraw application.

In your discretion, please see MacBride and communicate to him the substance of the foregoing. You may also inform him in this connection that the United States would be prepared to support an application by Ireland for membership in UNESCO.

Should occasion arise you may wish to thank MacBride for his friendly references to Irish relations with the United States, which are heartily reciprocated.

MARSHALL

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501.AA/8-2148: Telegram

*Mr. John C. Ross of the United States Mission at the United Nations  
to the Secretary of State*

SECRET      PRIORITY      New York, August 21, 1948—3:38 p. m.

1047. Confirming telephone conversation Rusk<sup>1</sup> this morning, following end last night of closed SC meeting on adoption report, Jessup had opportunity to discuss briefly and casually with Malik<sup>2</sup> question possible change USSR attitude towards Italian membership in UN in light of Soviet proposals Italian Trusteeship former Italian Colonies (Deptel 541, August 17).<sup>3</sup>

Malik said he had no information on this subject, and after a moment's hesitation asked Jessup if he had new proposals to make regarding the Italian Colonies.

Jessup replied that he had no suggestions at all concerning the Italian Colonies and added that Malik's government was familiar with position U.S. Government as presented at meetings of deputies.

Jessup then added that he would be curious to know whether there might not be some change in the Soviet attitude towards Italian membership in view of their attitude toward the former Italian Colonies.

Malik repeated that he had no information on this subject, and Jessup very casually suggested that he might wish to inquire concerning his government's viewpoint.

Ross

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<sup>1</sup> Dean Rusk, Director of the Office of United Nations Affairs.

<sup>2</sup> Yakov A. Malik, Permanent Representative of the Soviet Union at the United Nations.

<sup>3</sup> The Department concerted with the United States Mission by means of a telephone call and telegram 541 to authorize an approach to the Soviet Representative along the lines indicated here (501.AA/8-1748).

For documentation regarding the question of the disposition of the former Italian colonies, see vol. III, pp. 891 ff.

501.AA/8-2748: Telegram

*The Chargé in the Philippines (Lockett) to the Secretary of State*

CONFIDENTIAL

MANILA, August 27, 1948—6 p. m.

1637. President Quirino told me this morning he had talked to Ambassador Romulo<sup>1</sup> last night concerning the possible entrance of Spain as member of the United Nations. He said he had noticed a more friendly attitude on the part of the United States toward Spain and that he had also been interested in the recent decision of Peru to exchange ambassadors or ministers with Spain. The President said that he has always had an interest in Spain, and while he does not always approve some things done by that country the Philippines is ready to cast its vote in favor of Spain's admission. The President requested our feeling about the matter.<sup>2</sup>

LOCKETT

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<sup>1</sup> Brig. Gen. Carlos P. Romulo, Permanent Representative of the Philippines at the United Nations.

<sup>2</sup> In telegram 1103, September 1, to the Embassy in the Philippines, the Department responded that "US probably would not support total repeal 1946 resolution. We considering supporting modifications resolution particularly concerning membership in affiliated organizations but our position tentative pending consultations with other UN members." (501.AA/8-2748) For documentation regarding the resolution of 1946, see *Foreign Relations*, 1946, vol. I, pp. 373-443 *passim*.

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IO Files: SD/A/C.1/165

*Comment Paper Prepared in the Department of State for the United States Delegation to the General Assembly*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] September 1, 1948.

## ADMISSION OF NEW MEMBERS

## PROBLEM

The following items on the provisional agenda relate to the problem of membership in the United Nations.

14(a), Reports of the Security Council on its proceedings concerning membership.

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<sup>1</sup> The Third Regular Session of the General Assembly of the United Nations was scheduled to convene at Paris on September 21. For documentation regarding the composition of the U.S. Delegation and its organization and arrangements for conducting business at Paris, see pp. 9 ff.

In 1947 the Department occasionally submitted a "comment" paper with the regular position paper on a given subject, thereby enabling members of the U.S. Delegation to scrutinize an important matter in greater detail. The relevant position paper in this instance is not printed (IO Files, document SD/C.1/164).

14(b), Advisory opinion of the International Court of Justice concerning the conditions of admission to membership.

14(c), Argentine proposal that the General Assembly admit to membership Italy and every other applicant State that has received seven or more affirmative votes in the Security Council.

The problem of membership, as a whole falls into three parts:

(1) Decision on the admission of any states that may have been recommended by the Security Council;

(2) Action on the advisory opinion of the International Court of Justice;

(3) Action in respect of rejected applicants.

#### RECOMMENDATIONS (as stated in Position Paper)

##### 1. *Favorable Recommendation (if any) from the Security Council*

a. Although no favorable recommendations are now expected, the United States should support the admission of any of the following applicants if they are favorably recommended by the Security Council: Ireland, Portugal, Italy, Austria, Transjordan, Finland and Ceylon. We should support an application of Israel if submitted and if favorably recommended by the Security Council, subject of course to further instructions from the Department.

##### 2. *Advisory Opinion of the International Court of Justice*

a. The United States should make clear its view that the advisory opinion is an authoritative determination of the rights and duties of Members in voting under Article 4 of the Charter.

b. The United States should support or initiate a resolution to bring the advisory opinion to the attention of Member States and of the Security Council with the statement that, in the General Assembly's view, the Court's conclusions should be applied in the consideration of membership applications. It would be especially appropriate for Belgium to introduce such a resolution as she initiated the proposal to request the advisory opinion.

##### 3. *Action Concerning Rejected Applicants*

a. The United States should support or initiate a resolution reaffirming the General Assembly resolutions of 1947 in relation to Transjordan, Ireland, Portugal, Italy, Finland and Austria, and requesting a thorough reconsideration by the Security Council of their applications, as well as that of Ceylon, in the light of the advisory opinion of the International Court of Justice and of the General Assembly's views. It may be proposed that such reconsideration take place during the current session.

b. The United States should oppose any proposal to give effect to the theory that the veto right does not now exist in voting on membership applications (Argentine proposal).



c. Unless there is a favorable recommendation by the Security Council that all applicants be admitted, the United States should oppose any resolution calling for the admission of all applicants.

d. The United States should not encourage proposals that, in lieu of membership, any non-member States be granted special privileges to participate in proceedings of the General Assembly, on the ground that most eligible States would not accept this privilege. However if another Member should propose that applicant States referred to in (a) above be granted such privileges, the United States may support referral of the proposal to the Interim Committee for study.

[Here follows discussion of recommendations 1 and 2. The second was discussed in considerably greater detail than the first, particular attention being paid to the dissenting opinion rendered by Judge Krylov (USSR) in the ICJ's advisory opinion. Discussion then continued on recommendation 3, "Action concerning rejected applicants".

*A. Request for Further Consideration of Qualified Applicants by Security Council*

It is recommended that the United States support or initiate a resolution reaffirming the General Assembly resolutions of 1947 supporting Transjordan, Ireland, Portugal, Italy, Finland and Austria, and requesting reconsideration of their applications, as well as that of Ceylon in the light of the advisory opinion of the International Court of Justice and of the General Assembly's views. Such reconsideration might be requested to take place during the current Assembly session.

In the first place, a specific recommendation should be made that the Court's advisory opinion be applied in the reconsideration of these applications. The opinion would, if applied, require at the least, some modification of the grounds given by the Soviet Union for its vetoes of all applications except that of Ceylon. A reasonable application of it, in good faith, should result in the withdrawal of Soviet objections to Italy and Finland. As to Ireland, Portugal and Transjordan, it should result in the abandonment, modification or explanation of one of the grounds given for Soviet opposition—the absence of diplomatic relations. As noted above (section 2), therefore, the Soviet Delegation may argue on the basis of the minority view, with attempts to justify some of the vetoes even under the opinion of the Court. In the cases of Italy and Finland, a repetition of the usual charges as to violation of the Potsdam agreement and the peace treaties by the United States

and other Members may be expected as part of this defense. These questions have been argued at length on a number of occasions in the Security Council and General Assembly, where we have given a complete answer to the accusations. As to the Potsdam agreement, we have frequently pointed out that the language is permissive and that it certainly was not designed to override the requirements of Article 4 of the Charter.

It seems sufficient to include in the resolution a recommendation that the application concerned should be reconsidered in the light of the opinion of the Court.

Secondly, a re-affirmation of the General Assembly resolutions relating to Transjordan, Ireland, Portugal, Italy and Finland would be desirable. In these resolutions, the General Assembly declared that these States qualify for membership and that the Soviet vetoes were "based on grounds not included in the Charter". In order to permit no doubt to arise from its silence, now that the Court's opinion has been handed down, this position should be reaffirmed. These declarations should be understood to mean a criticism either of the grounds mentioned or of the reasonableness or good faith with which these grounds were applied in particular instances by the Soviet Union. They go, therefore, a considerable distance beyond the Court's opinion, since the latter involved no appraisal of the conduct of any State in any concrete case.

As noted above, Ceylon's application was rejected in the Security Council through a Soviet veto. The application should, accordingly, be included in the resolution, but no judgment made as to the grounds on which the USSR opposed it.

Any proposal to include in the resolution a recommendation in favor of the admission of the Soviet-sponsored group (Albania, Mongolian Peoples Republic, Hungary, Rumania and Bulgaria) should be opposed. Unless some conciliatory Soviet move in the membership field should be made, our opposition would presumably be successful. However, we should be prepared to agree to renew Resolution 113(II)-A, requesting consultation among the great powers as to all rejected applications.

[Here follows discussion of Part B of recommendation 3, the Argentine proposal and proposals for the admission of rejected applicants on an associate membership basis.]

*Editorial Note*

On November 15, 1948 the General Assembly at Paris established an *Ad Hoc* Political Committee to ease the pressure on the First Committee; and transferred to the new committee generally agenda items relating to organizational and constitutional matters, including the items concerning the admission of new members. The *Ad Hoc* Political Committee considered these subjects in detail at eleven meetings on November 22-27 and at two more meetings on December 1 and 2. On the first day of its deliberations, the committee was informed of the views of the United States, substantially along the lines indicated in the preceding paper (see United Nations, *Official Records of the General Assembly, Third Session, Part I, Ad Hoc* Political Committee, pages 75-78). Subsequently the United States delegate on the committee, Benjamin V. Cohen, submitted to the committee a draft resolution calling for Security Council re-examination of the application of Austria (United Nations document A/AC.24/13). The United States Delegation at Paris had considered the membership question in a lengthy meeting on November 14, the minutes of which are not printed (IO Files, document US(P)/A/M (Chr)/31).

In its report to the General Assembly on admission of new members the *Ad Hoc* Political Committee recommended that the General Assembly invite the attention of the Security Council to the Advisory Opinion of the International Court and request the Council specifically to re-examine the applications of Portugal, Transjordan, Italy, Finland, Ireland, Austria and Ceylon (GA (III/1), *Plenary, Annexes*, pages 504 ff.). This the General Assembly did after debate in three meetings on December 8; for the proceedings see GA (III/1), *Plenary*, pages 767 ff.; for the statement by the United States Representative (Cohen) in support of the report, see *ibid.*, pages 771 ff. For text of Resolution 197 (III), see GA (III/1), *Resolutions*, pages 30 ff.

There is a useful collection of United States Delegation documents in manuscript on the phase of the Paris membership question in Office Lot File (IO/UNP) 59D237, Box 7210, Folder "Membership".



#### IV. INTEREST OF THE UNITED STATES IN INCREASING THE EFFECTIVENESS OF THE UNITED NATIONS: UNITED STATES PROPOSALS FOR CHANGES IN THE VOTING PROCEDURE OF THE SECURITY COUNCIL<sup>1</sup>

IO Files<sup>2</sup>

*Information Paper Prepared in the Office of Public Affairs,  
Department of State*<sup>3</sup>

[WASHINGTON,] December 17, 1947.

#### QUESTIONS AND ANSWERS ON THE VETO

1. Question: Is the word "veto" used in the Charter?

Answer: No.

2. Question: What provision of the Charter has given rise to the use of the term "veto"?

Answer: Article 27, paragraph 3, which refers to voting in the Security Council and which reads as follows: "Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting".

3. Question: Why is the term "veto" used in connection with this section of the Charter?

Answer: Because the types of Security Council decisions referred to in this section—decisions that are not procedural—require the concurring votes of all of the five permanent members of the Security Council except that a permanent member a party to a dispute is required to abstain from voting in decisions under Chapter VI. Therefore, with this one exception any one permanent member of the Security Council is in a position to block a decision of the Council of the nature described in that paragraph.

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<sup>1</sup> For previous documentation related to this matter, see *Foreign Relations*, 1947, vol. 1, pp. 166 ff.

<sup>2</sup> The term "IO Files" is used in the *Foreign Relations* series to denote the files of the Reference and Documents Section of the Bureau of International Organization Affairs. The 1948 predecessor of the Bureau of International Organization Affairs, charged with principal responsibility for the conduct of United States relations with the United Nations, was the Office of United Nations Affairs (UNA); Dean Rusk was Director of UNA and the Deputy Director was Durward V. Sandifer.

<sup>3</sup> This paper was included in a "book" made up for the United States Delegation to the Third Session of the General Assembly, entitled "Voting in the Security Council".

4. Question: What were the main reasons advanced for this requirement in most of the important decisions of the Security Council?

Answer: The voting formula was worked out at Yalta by President Roosevelt, Mr. Stalin, and Mr. Churchill. The requirement of unanimity of the great powers reflected in the voting formula of the Security Council was closely tied to one of the basic forces which made possible the establishment of the United Nations, the coordinated action of the great powers during the last war and in preparation for the San Francisco Conference. The view of the United States was expressed in the Report to the President on the San Francisco Conference presented by the Secretary of State on June 26, 1945:

"This war was won not by any one country but by the combined efforts of the United Nations, and particularly by the brilliantly coordinated strategy of the great powers. So striking has been the lesson taught by this unity that the people and Government of the United States have altered their conception of national security. We understand that in the world of today a unilateral national policy of security is as outmoded as the Spads of 1918 in comparison with the B-29 of 1945 or the rocket planes of 1970. We know that for the United States—and for other great powers—there can be no humanly devised method of defining precisely the geographic areas in which their security interests begin or cease to exist. We realize, in short, that peace is a world-wide problem and the maintenance of peace, and not merely its restoration, *depends primarily upon the unity* of the great powers . . ."

Similar views have been expressed by the leaders of all of the permanent members of the Security Council. The desirability of unanimity of the permanent members on the most important decisions in connection with peace and war has been reaffirmed during this session of the General Assembly by all of the permanent members.

5. Question: Does the United States still believe that the peace of the world depends primarily upon the unity of the great powers?

Answer: Yes. However, we do not feel that the desirability of unanimity of the Permanent Members, especially on the most important issues of peace and security, precludes liberalization of the voting procedure as it is now applied. To quote from the speech of the Secretary

of State to the General Assembly on September 13, 1947:

"We were always fully aware that the successful operation of the rule of unanimity would require the exercise of restraint by the permanent members and we so expressed ourselves at San Francisco. It is our hope that, despite our experience to date, such restraint will be practiced in the future by the permanent members. The abuse of the right of unanimity has prevented the Security Council from fulfilling its true functions. This has been especially true in cases arising under Chapter VI and in the admission of new members. The Government of the United States has come to the conclusion that the only practical method for improving this situation is a liberalization of the voting procedure in the Council. The United States would be willing to accept by whatever means may be appropriate, the elimination of the unanimity requirement with respect to matters arising under Chapter VI of the Charter and such matters as applications for membership."

6. Question: Does the requirement of unanimity among the permanent members of the Security Council apply to the whole of the United Nations Organization?

Answer: No. It applies merely to certain decisions of the Security Council. It is not applicable to the decisions of the General Assembly, the Economic and Social Council, the Court of International Justice, or any of the subsidiary and affiliated agencies of the United Nations.

7. Question: Does the requirement of unanimity among the permanent members of the Security Council apply to all decisions of the Security Council?

Answer: No. In the first place, procedural decisions are governed by Article 27, paragraph 2, which permits a decision by an affirmative vote of any seven members. In the second place, in decisions under Chapter VI or under paragraph 3 of Article 52 relating to pacific settlement of disputes, parties to a dispute, whether permanent or non-permanent members of the Security Council, are required to abstain from voting.

8. Question: How does the Security Council determine which decisions are procedural?

Answer: As early as the San Francisco Conference it was recognized that the provisions for voting in the Security Council were ambiguous. As a result, the Four Powers that sponsored the San Francisco Conference and proposals for the Charter, which included Article 27, prepared a statement intended to clarify these ambiguities.



ties. This so-called Four Power Statement<sup>4</sup> which was later adhered to by the remaining permanent member of the Security Council, France, succeeded in part in its aims. For example, in paragraph 2 of Part I, the statement listed a number of decisions which are procedural. In paragraph 3 of Part I, the statement established the very important principle that no individual member of the Council can alone prevent consideration and discussion by the Council of a dispute or situation brought to its attention under the Charter. Paragraph 8 of Part I stated the general principle that permanent members of the Security Council will not use their veto power wilfully to obstruct the operation of the Council.

9. Question: Does the Four Power Statement completely clarify Article 27?

Answer: We think not. Many matters remain to be cleared up through interpretation, rules of procedure, definitions, and the establishment of precedents. The United States has submitted to the Security Council proposals for a number of such rules of procedure.

10. Question: Would the adoption of these rules of procedure by the Security Council prevent abuse of the veto?

Answer: Their adoption would probably materially increase the effectiveness of the Security Council. However, further liberalization of the voting formula in the Security Council would probably be necessary. The United States view of the steps to be taken in this direction is stated in the Secretary's speech of September 13, 1947, to the General Assembly as follows:

"We consider that the problem of how to achieve the objective of liberalization of the Security Council voting procedure deserves careful study. Consequently, we shall propose that the matter be referred to a special committee for study and report to the next session of the Assembly. Measures should be pressed concurrently in the Security Council to bring about improvements within the existing provisions of the Charter through amendments to the rules of procedure or other feasible means."

11. Question: If a permanent member opposes some substantive proposal of the Security Council, is it exercising a veto?

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<sup>4</sup> For text of the Four Power Statement, June 7, 1945, see Department of State *Bulletin*, June 10, 1945, p. 1047.

Answer: We think not. As stated previously, the word "veto" is not used in the Charter. We believe that the term is meaningless unless it refers to situations in which a proposal receives seven or more affirmative votes but fails to carry because of the negative vote of a permanent member.

12. Question: Under this definition of veto, how many times has it been exercised in the Security Council?

Answer: We consider that the veto has been exercised twenty-two times. Since in a number of instances the veto was exercised more than once in connection with a single question, it is possible to count the number of vetoes as 20, 21, 22, or 23.

13. Question: Has the veto been exercised by any state other than the U.S.S.R.?

Answer: France and the U.S.S.R. jointly exercised the veto on one occasion in the Spanish case and France vetoed a resolution of the U.S.S.R. in the Indonesian case. It is only fair to state that all of the permanent members have at times expressed opposition to and voted against proposals brought before the Security Council. It was not necessary, however, to exercise the veto since the particular proposals were never able to secure seven affirmative votes.

14. Question: When the representative of the U.S.S.R. departed from the meetings of the Security Council which were discussing the alleged controversy between the U.S.S.R. and Iran, was the action equivalent to an exercise of the veto?

Answer: No. There is no such thing in the Security Council as the requirement of a quorum. The absence of the representative of the U.S.S.R. did not prevent the deliberations of the Security Council nor prevent procedural decisions. In view of the well established practice in the Security Council that abstention from voting by a permanent member on a non procedural decision does not constitute a veto, the absence of a permanent member probably would not even prevent a substantive decision of the Council.

15. Question: Have permanent members ever reached agreement in the Security Council on substantive matters?

Answer: Certainly yes. It is impossible however to give the number of occasions with mathematical precision.

There have been a number of formal votes on substantive matters where all permanent members were in agreement. However, frequently the Security Council has proceeded without voting when it has found that its members were all in agreement. It must be remembered, furthermore, that the tendency has been to bring to the Security Council matters in which disagreement among permanent members of the Security Council were pronounced. Other matters never reached the stage where it could be claimed that they could endanger international peace and security and thus be a proper subject for discussion in the Security Council. Since the beginning of the Security Council, we would be safe in saying that the areas of agreement among permanent members of the Security Council have in general exceeded the areas of disagreement.

16. Question: What proposals concerning voting in the Security Council were adopted by the recent session of the General Assembly?

Answer: The General Assembly on November 21, 1947 adopted a resolution proposed by the United States requesting the Interim Committee of the General Assembly to:

"1. Consider the problem of voting in the Security Council, taking into account all proposals which have been or may be submitted by Members of the United Nations to the Second Session of the General Assembly or to the Interim Committee;

"2. Consult with any Committee which the Security Council may designate to co-operate with the Interim Committee in the study of the problem;

"3. Report with its conclusions to the Third Session of the General Assembly, the report to be transmitted to the Secretary-General by 15 July 1948, and by the Secretary-General to the Members and to the General Assembly."

The resolution further

"Requested the permanent members of the Security Council to consult with one another on the problem of voting in the Security Council in order to secure agreement among them on measures to ensure the prompt and effective exercise by the Security Council of its functions."

17. Question: What benefits are likely to be obtained from the proposed Interim Committee study of the problem?

Answer: The general purpose of the study and the benefits to be obtained therefrom were summarized as follows by Mr. Dulles of the U.S. delegation to the General As-



sembly in his statement to Committee 1 of the General Assembly on November 18, 1947:

"We believe, therefore, that the General Assembly should proceed carefully and with consideration for the reasoned views of all the members, whether they represent large countries or small. We hope that out of such an approach will come developments which will enable the Security Council to discharge more effectively its primary responsibility for the maintenance of international peace and security."

"It may be asked whether that is a mere pious hope or has it, in fact, any substance. I think it has substance. If voting in the Security Council is under observation and study currently throughout the year, almost certainly that will influence Security Council members to improve their own voting procedures. Also, serious study on behalf of the General Assembly will, I believe, lead to better relations in this matter between the General Assembly and the Security Council."

"At present, there seems to be a tendency on the part of the General Assembly, perhaps, to over-simplify the problem. We are inclined, once a year, to strike out against what we call the abuse in the use of the veto. But we have not really given the matter serious study. I am confident that if the General Assembly should give the problem the kind of study which, for example, our Sub-Committee gave to the problem of setting-up the Interim Committee, the next General Assembly would approach this problem with a much better and more sympathetic understanding of the problem and with much more understanding and sympathy toward the attitude of the Security Council and the permanent members."

"I believe that only out of an attitude of sympathy and understanding between coordinate bodies, rather than out of an attitude of antagonism between them, can come the possibility of really finding improvement in this field."

18. Question: Can the Charter be amended without the concurrence of all of the permanent members?

Answer: No. The Charter provides:

"Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all the permanent members of the Security Council".

19. Question: Is it true that the veto legalizes aggression by a permanent member because that member can prevent enforcement action against itself?

Answer: No. The permanent members are bound legally and morally in the same degree as all other members of the

United Nations, "to settle their international disputes by peaceful means in such a manner that international peace and security, and justice are not endangered," and to "refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations". The veto does not legalize any violations of those commitments. It is true that if one of the great powers violates the Charter, ultimately the only way to enforce the law is by a major war. That, however, would be just as true if the Charter did not require unanimity of the permanent members of the Security Council.

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IO Files, US/A/AC.18/9

*Memorandum of Conversation, by Mr. John C. Ross, Deputy to the United States Representative at the United Nations (Austin)*<sup>1</sup>

CONFIDENTIAL

[NEW YORK,] January 7, 1948.

Participants: Sir Carl Berendsen—New Zealand Representative on the Interim Committee and Permanent Representative to the United Nations  
Ambassador Austin  
Mr. John [C.] Ross

Sir Carl Berendsen called at 2:30 this afternoon at his request.

He said that since he was leaving shortly for New Zealand he wanted to take back to his Government a firsthand expression of views of the United States Delegation with regard to the Interim Committee. With appropriate apologies for doing so, he spoke very bluntly and frankly throughout the conversation. He said that he was terribly disappointed in the meeting of the Interim Committee on Monday<sup>2</sup> and he had already reported to his government that it was a complete "fiasco". He said that the Members of the Committee were bewildered, not interested, and had nothing to say. In his opinion the United States had either lost all interest in the Interim Committee and was in effect

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<sup>1</sup> Ambassador Warren R. Austin as U.S. Representative at the United Nations functioned in several capacities; on Jan. 3 he had been appointed by President Truman to be U.S. Representative in the Interim Committee of the General Assembly and Prof. Philip C. Jessup had been appointed Deputy U.S. Representative in the Interim Committee.

<sup>2</sup> The first meeting of the Interim Committee, established by resolution of the General Assembly on Nov. 21, 1947, was held on Jan. 5, 1948. For a summary record of the meeting, see United Nations document A/AC. 18/SR. 1, Jan. 5, 1948.



abandoning it, or the United States was deliberately stalling<sup>3</sup> in the hope, which he ventured to describe as "stupid", that somehow or other the Soviet Union and satellites might be persuaded to participate. He said that his views were shared not by one or a half dozen, but by a great many of the other representatives at Monday's meeting.

Sir Carl said that in his view the value of the Little Assembly was solely as a backstop for failures by the Security Council. He attached absolutely no importance to Article 11(1) or Article 13(1)a.<sup>4</sup>

On the question of the veto he was confident that the Interim Committee could accomplish nothing whatever. He thought debate of the veto in the Interim Committee would, however, serve the useful purpose of continuing to educate public opinion, not only in the United States but throughout the world as to the implications of the veto. He thought that discussion of the veto to date had led to a very much better informed public opinion during the last twelve months and it would be desirable to continue the process of education. However, he did not see why such debate could not begin right away; he was dismayed by the proposed delay in consideration of the matter by the Interim Committee. In the course of his remarks Berendsen said that any mitigation of the effects of the veto simply would not be enough. It had to be eliminated entirely in order to have an effective collective security system. It was, however, Utopian to think that the veto could

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<sup>3</sup> The Interim Committee, charged by the General Assembly resolution of Nov. 21, 1947 to investigate the problem of voting in the Security Council, had been presented with a draft resolution by the United States at its first meeting which read in part:

*"The Interim Committee, to give effect to the request of the General Assembly, Requests the Members of the United Nations, which desire to submit proposals on the problem of voting in the Security Council, to transmit them to the Secretary-General on or before 15 March 1948;*

*Requests the Secretary-General to circulate any and all such proposals immediately upon receipt thereof to all Members of the United Nations;*

*Requests the Chairman of the Interim Committee to bring up for consideration the problem of voting in the Security Council when the Secretary-General shall have ascertained that all Members desiring to do so have submitted proposals, but in any case not later than 15 March 1948."*

(United Nations document A/AC. 18/11, Jan. 12, 1948)

<sup>4</sup> Article 11 (1) reads: "The General Assembly may consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both."

Article 13 (1) a reads: "The General Assembly shall initiate studies and make recommendations for the purpose of:

a. promoting international cooperation in the political field and encouraging the progressive development of international law and its codification. . . ."

These were presumed to be fitting subjects for the consideration of the newly-established Interim Committee, in the development of a work program for the committee.



be eliminated. The Interim Committee might therefore be considered in a sense as a bridge between the present ineffective organization and an organization which might provide collective security for the rest of the world without Russia. He admitted, however, that any effort to accomplish this purpose would in effect result in two security systems involving a race for predominant power which could only end in catastrophe.

The general tenor and implication of all of Sir Carl's remarks were that all of the Members of the Interim Committee looked to the United States for leadership and the United States had failed on Monday to provide it and he did not see any signs that it would be provided.

Ambassador Austin made it clear that he could not agree at all with the views Sir Carl had expressed. He thought that everything that should have been accomplished on Monday had been accomplished. There had not been any useless and pointless substantive discussion. The United States had proposed a specific resolution setting forth an orderly procedure whereby Members of the Committee could submit proposals concerning the veto and whereby these proposals could be considered thoughtfully. A committee on procedures had been established and set to work with instructions to report back by Friday. He emphasized that any Members could bring matters to the Interim Committee and that there was no barrier to discussion.

More specifically on the veto question the Ambassador told Sir Carl that before the Interim Committee could usefully undertake any consideration of this subject it was necessary to know whether the Soviet Union would concede anything at all with regard to the veto. He had spoken briefly to Gromyko<sup>5</sup> yesterday and tried to find out if Gromyko would be willing to participate in the consultations envisaged in the General Assembly resolution establishing the Interim Committee. It would be better to proceed patiently and slowly and find out just where the Soviet Union stands on this matter rather than rushing impetuously into it in the Interim Committee and thereby risk losing even whatever slight possibility there might be of getting Soviet acceptance of modifications in practice. The Ambassador was still hopeful and in any event meant to find out whether it would be possible to get any agreed interpretation with the Soviets of the meaning of the Four Power Statement; also whether it would be possible to get from them any agreement on the non-application of the veto by defining as procedural questions such matters as the establishment of commissions of investigation.

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<sup>5</sup> Andrey Andreyevich Gromyko, Permanent Representative of the Union of Soviet Socialist Republics at the United Nations.

It was my general impression that this conversation which lasted about an hour had at least made some dent in Berendsen's pessimism and helped to straighten out his thinking on the Interim Committee.

JOHN ROSS

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501.BC/1-1648: Telegram

*The Secretary of State to the United States Representative at the United Nations (Austin)*

CONFIDENTIAL

WASHINGTON, January 16, 1948—8 p. m.

20. The following may be useful for your use in connection with first meeting Permanent Members of SC, Monday, Jan 19. Dept expects definitive US position on veto in SC and in IC will be formulated in light of Five Power consultation and Committee of Experts<sup>1</sup> considerations; accordingly, maximum freedom for future action in development of veto policy should be preserved.

The basic US position on veto in SC was expressed by Secretary Marshall in his statement to the GA on Sept 17, 1947,<sup>2</sup> in which he stated that abuse of unanimity rule had prevented SC from fulfilling its true functions, particularly under Chap VI and in admission of new members; that US had come to conclusion that only practicable method for improving situation was a liberalization of voting procedure in Council; that US would be willing to accept, by whatever means may be appropriate, elimination of unanimity requirement under Chap VI and for such matters as applications for membership; that problem of how to achieve objective of liberalization was of significance and complexity for UN and deserved careful study, that consequently, the matter should be referred to a special committee for study and report to the next session of the GA and concurrently measures should be pressed in SC to bring about improvements within

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<sup>1</sup> In its resolution of November 21, 1947, the General Assembly had requested the permanent members of the Security Council to consult among themselves on the problem of voting in the Security Council "in order to secure agreement among them on measures to ensure the prompt and effective exercise by the Security Council of its functions." The Committee of Experts of the Security Council was established by the Security Council at London in January, 1946 in order to formulate permanent rules of procedure for the conduct of business by the Security Council. Considerable work had been accomplished by the Committee of Experts in 1946, but, despite much discussion, the committee had not succeeded in providing an acceptable draft for a permanent rule regarding voting procedure; for documentation regarding these matters, see *Foreign Relations*, 1946, vol. I, pp. 251 ff. Regarding a proposal made by the U.S. in the Committee of Experts in 1946, see *ibid.*

<sup>2</sup> For information on the Secretary of State's address to the General Assembly on this date, see *ibid.*, 1947, vol. I, editorial note, p. 14.



existing provisions of Charter through amendments to rules of procedure or other feasible means.

The US is committed to seek a liberalization of voting procedures of Council and, if necessary to that end, is willing to accept by any appropriate means elimination of veto in Chap VI and in membership questions. The US, however, is not committed to press for any specific method designed to achieve the improvement, such as amendment of the Charter or modification of San Francisco Statement.

In effort to achieve above aims the US believes that first step is consultation among permanent members of SC. In this consultation permanent members might agree :

(1) That proposals introduced by the US in SC for additional rules of procedures or practices of SC and any proposals introduced by other SC members should be referred to Committee of Experts for further study and in hope of agreement.

(2) The permanent members might, as adherents of San Francisco Statement, review that document in effort to reach unanimous agreement as to its meaning in light of operations of SC during 2½ years since its formulation.

(3) In particular, agreement might be reached as to attitude of five Governments in respect of following provisions of Statement to which in the past different interpretations have been adopted.

(a) “. . . the Council will have to make decisions which involve its taking direct measures in connection with the settlement of disputes, adjustment of situations likely to lead to disputes, determination of threats to the peace, removal of threats to the peace, and suppression of breaches of the peace. It will also have to make decisions which do not involve the taking of such measures. The Yalta Formula provides that the second of these two groups of decisions will be governed by a procedural vote—that is, the vote of any seven members”.

(b) “It is not to be assumed, however, that the permanent members, any more than the non-permanent members, would use their veto power willfully to obstruct the operation of the Council”.

(c) Part 2 of the Statement which provides that Charter itself contains indication of application of voting procedures to various functions of Council and that therefore it is unlikely that there will arise in future any matters of great importance on which a decision will have to be made as to whether a procedural vote would apply.

In the event that there can be achieved a meeting of the minds of five permanent members on these aspects of the San Francisco Statement, it would be reasonable to assume that the voting procedures of the SC would be substantially improved in the future which might alter the character of the recommendation which other Members of the UN might feel should be adopted by the GA. The views of all Members of the UN must of course be given due weight.

The US proposal in the IC is that the members of that Committee be invited to submit proposals on voting procedures on or before



March 15, 1948, and that thereafter these proposals be studied by the IC so that it can report to the GA, as it must do under the GA resolution, by July 15. The US has not itself determined what proposals, if any, it should submit to the IC in response to this invitation. It is its belief that until there has been an opportunity to see the results of the Big Five consultation and of the consideration of the rules proposed by the US and any other members of the SC in the Committee of Experts, it would be premature for the US to make such proposals.

The US recognizes that there can be no amendment to the Charter of the UN without the concurrence of all the permanent members of the SC. Nor do we believe that an amendment to the Charter is the only means available to achieve most of the US's objectives directed toward the liberalization of the voting procedures of the Council. They can be gained by agreement among the permanent members.

The Council of Foreign Ministers in Nov 1946 held two meetings on this subject in which various proposals were put forward.<sup>3</sup> Although no agreement was reached, there was a common denominator in the position of each member; namely, that the operations of the SC should be strengthened, that the permanent Members had the greatest responsibility to this end and that there should be consultation among them before taking decisions in the SC on matters of importance. The veto consideration in the Council of Foreign Ministers' meetings was a small part of a crowded agenda, not exhaustively discussed. There would seem to be no reason why this consultation of the permanent Members should not continue that consideration in an effort to make further progress in accordance with the recommendation of Five Power consultation adopted by the GA.

MARSHALL

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<sup>3</sup> These meetings, held by the five permanent members of the Security Council at the same time that the Council of Foreign Ministers was sitting, were on November 18 and 23, 1946; for documentation on them, see *Foreign Relations*, 1946, vol. I, pp. 341-355.

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501.BC/1-1948: Telegram

*The United States Representative at the United Nations (Austin)  
to the Secretary of State*

SECRET

NEW YORK, January 19, 1948—9:55 p. m.

72. The following is a summary of what took place at the Conference of the Big Five today on the veto. Gromyko, Cadogan,<sup>1</sup> De la Tournelle,<sup>2</sup> Hsia<sup>3</sup> and I were present.

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<sup>1</sup> Alexander Cadogan, Permanent Representative of the United Kingdom at the United Nations.

<sup>2</sup> Guy Le Roy de La Tournelle, Alternate Representative of France on the Security Council.

<sup>3</sup> C. L. Hsia, Alternate Representative of China on the Security Council.

After a general statement relating to the objective of peace and abolition of war contained in the Charter and especially in the unanimity principle regarding voting in the Security Council, I stated that the US position was the same as stated by General Marshall and that we adhere now to the proposition that he made that the US is willing, if the other four powers are willing to do so, to waive the veto in proceedings under Chapter VI and in issues regarding the admission of new members, treating these matters as procedural and not substantive.

I then made the following suggestions in order to introduce the subjects.

1. We would review and bring up to date the Four Power Declaration of June 1945. I indicated that the basis for such a review is the discovery from experience that the assumptions on which that statement is based have turned out to be inaccurate in some respects, including the assumption that it will be unlikely that there will arise in future any matters of great importance on which an opinion will have to be made as to whether a procedural vote would apply.

2. We could extend and clarify the list of decisions which are procedural.

3. We could improve the procedures in the Security Council so as to insure that a party to a dispute must abstain, by agreeing that the preliminary decision as to whether a matter fell within the proviso of Article 27 (3) was a procedural matter.

4. We could determine whether the proposals of the US in the Committee of Experts relating to the use of the veto have our assent and backing.

5. I asked what their position would be regarding the submission of any proposals by a permanent member for the Interim Committee being submitted to the Five Powers for discussion (not necessarily agreement) before submitting them to the Interim Committee.

With respect to the waiver of veto in matters under Chapter VI and on the admission of new states, no one present agreed to the idea of waiver and all of them opposed amendment of the Charter. Quite some emphasis was laid upon opposition to an attempt to amend the Charter. With respect to the detailed suggestions I had made, the other representatives took the following positions:

Cadogan supported consideration of these suggestions and indicated an affirmative view on all of them excepting the last one, and as to that one he stated he would refer to his government with a recommendation on his part that this practice be adopted.

Gromyko discussed each of the suggestions and stated that the position of his government is no different [than] that he had expressed many times. In detail he said that he is opposed to any and all of these suggestions; that the Four Power declaration did all of the clarifying that is necessary; that it is perfectly plain and unambiguous.



As to the assumption underlying Part II of the Four Power statement being ill founded, he claimed that, nevertheless, the obligation was stated to be the same whether the assumption were sound or false for he said it reads "Should, however, such matter arise, . . .". To him that means that, notwithstanding the unexpected has occurred, the practice is clearly defined in the statement and requires concurrence of the five permanent members. With respect to the meetings of the Committee of Experts he said no meetings have been held to discuss the subject of our proposals. The Soviet Union will be present and participate in the discussion. This does not indicate that the USSR will agree to any of them, in that they are opposed to them.

During his reply I interrupted him to ask a specific question, normally, if under Chapter VI or Article 52 of the Charter a matter was up for consideration which involved a permanent member as a party and the permanent member would claim that he was not a party, whether the USSR would be willing to agree to the statement to which the deputies agreed at their 24th meeting in San Francisco. I read him this extract which stated "This question seems to be based on a most unlikely hypothesis, but if a permanent member of the Council were involved in a dispute and argued in the Council that he was not involved in a dispute, the Council would presumably make its decision on this point by a vote of seven, including the votes of the permanent members other than the permanent member who was alleged to be involved in the dispute".

He made a definite refusal to consider that and said the answer was merged in the Four Power statement which is directly to the contrary.

Then I asked him whether he would care to meet and consult, try to agree with the other permanent members on any specific question of this character and he replied "I cannot answer. I would have to know what the substance of the question is. The Soviet Union takes the position that it is up to each member of the SC to decide the question whether he is or is not a party to the dispute and to act accordingly".

With respect to the query regarding discussion of any proposal by a permanent member to the Interim Committee, he did not object to that but he said "You know perfectly well that I will not participate in the Interim Committee directly or indirectly and what I have said here today would have been said in the same way and to the same effect if there were no Interim Committee. I ignore it in my statement".

Dr. Hsia fully supported the suggestions which I had made and stated among other things that there is an actual disagreement among the Big Five which ought to be clarified regarding the application of the proviso to Article 27, and also regarding the application of Part 2 of the Four Power Agreement. Hsia favored getting together re-



garding any proposal that any one of the permanent members intends to make before it is filed in the Interim Committee. He claimed that discussions might improve such proposals before they are filed and facilitate their consideration in the Committee.

De la Tournelle favored our suggestions and added that not only would he like the idea of discussion by the Five Powers regarding proposals for the Interim Committee, but he thought that we might avoid some of the difficulty if we had such conferences regularly before any proposals are to be made in the SC by any one of the permanent members. His first statement we understood to mean consultation plus agreement. He explained that that was not what he meant. He meant that we could avoid the ill feeling and embarrassment that has arisen if we did not push matters to a vote in the SC when we have found out by conference that there would be a veto. Therefore he favored conferences on all issues of such character as might provoke a veto. He said that he did not intend to have the proponent withdraw his proposal or not present it just because of a failure of agreement, but that his point was that he favored consultation as a general rule.

Thus it appeared that we were all agreed upon all points excepting Gromyko and excepting the British reservations on my fifth suggestion.

I called upon them all regarding publicity of this meeting, as to what the answer should be to the press if they found out about it. We agreed that it should be simply a statement that we had met to discuss the veto and had discussed many aspects of the subject and had not come to a decision. If asked whether we intended to meet again, the reply should be that that is not excluded.

The Conference ended at 4:15.

AUSTIN

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501.BC/1-1948: Telegram

*The Secretary of State to the United States Representative at the  
United Nations (Austin)*

SECRET

WASHINGTON, January 21, 1948—6 p. m.

25. In view outcome Big Five consultation, reurtel 72, Jan 19, 1948  
Dept has following suggestions:

1. As soon as practicable Committee of Experts should commence  
discussion Rules of Procedure this subject.

2. US should introduce proposals circulated among members SC at Aug 27, 1947 meeting as suggested in our 418, Sept 24, 1947.<sup>1</sup>

3. In light of ambiguous positions expressed by UK, France and China, Dept would like to learn their probable attitude towards possible US proposal in IC that permanent members agree not to utilize veto in SC decisions under Chapter VI and in membership matters.

4. Above without prejudice to possibility additional Big Five consultations.

MARSHALL

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<sup>1</sup> Not printed.

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501.BC/1-2448 : Telegram

*The United States Representative at the United Nations (Austin) to the Secretary of State*

RESTRICTED

NEW YORK, January 24, 1948—12:08 p. m.

86. Following is a memorandum containing USUN's suggestions regarding the US position on the veto.

The purpose of this paper is to outline a suggested US position on the veto over the next six months or so—both in the GA and the IC, and in the SC and its Committee of Experts. It seems essential that our position in those two separate forums should be integrated and that we should have before us not only definite aims but a general understanding of the procedures we propose to support in these two separate forums.

#### *I. US Substantive Objective.*

Our substantive objective is to attain as much as possible of the following program for the liberalization of the voting procedure in the SC.

1. Decisions under chapter VI and under article 52, paragraph 3, of the Charter should be taken by a procedural rather than a substantive vote.

2. Decisions on new members should be taken by a procedural rather than a substantive vote.

3. The categories of decisions listed in the proposed rule as submitted by the US to the Committee of Experts should be taken by a procedural rather than by a substantive vote.

4. A procedure ensuring compulsory abstention by a party to a dispute should be put into effect, preferably by making the preliminary decision on this question a procedural rather than a substantive matter.

5. Part 2 of the Four Power statement should be eliminated by making the preliminary decision a procedural matter, or should be restricted by some other device.

## II. *Procedure for Attaining US Objective.*

There are a number of procedures which might be followed, alone or in combination, in seeking to attain our objective. The question of the choice of procedure is most difficult and most important. It is clear that the procedures adopted in the two separate forums in the SC should be integrated into a single program.

It is suggested that the following general program might be adopted :

1. The US is willing to consider the attainment of its objectives by the process of amendment of the Charter, if this is necessary, and if it appears practicable. Since at the moment it does not appear practicable because of the opposition of the Russians and the lack of support from the other members of the Big Five, the US should, in the IC and the GA, emphasize that all other methods of attaining our objective should be attempted first before amendment of the Charter should be attempted.

2. The most practicable method of attaining the US objectives would seem to be action by the GA and the SC to liberalize the veto procedure to the fullest possible extent consistent with the provisions of the Charter. The US should propose or support a proposal that the UN should decide to place in the category of procedural decisions requiring only seven votes in the SC, all those categories of decisions listed in paragraph 1 above provided that such action may be taken without violation of the legal obligations imposed by the Charter and is consistent with the Charter. The question of the legal validity of such action under the Charter should be submitted by the GA to the ICJ for an advisory opinion. The action of the US to accomplish this purpose should be a recommendation of the GA, consistent with the opinion of the IC, directed to the SC and put into effect by the SC through the adoption of rules of procedure.

3. This program calls for action both in the GA and in the SC. The US might support the following action in each of these forums.

### *SC.*

We should proceed with our present program in the SC and press our proposals to the Committee of Experts to a decision taking a majority recommendation to the SC at the earliest possible opportunity. We should not attempt to determine now how far to press these rules in the SC prior to action in the IC and the GA. We should keep definitely in mind the advantages of establishing a precedent or at least public support of a majority of the SC for the proposition that rules of procedure regarding voting may be adopted by the SC by a procedural vote. We should also be prepared to propose that any seriously disputed legal points should be put by the SC to the ICJ for an advisory opinion. If the request for an advisory opinion were blocked by a Soviet veto, it might be undesirable to press to a conclusion the argument that the making of such a request is itself a procedural question, but the resulting situation would help us in our program in the GA.

### *GA program.*

We should place before the IC, after consultation among the five, a proposal along the following lines: the IC should examine all possible categories of decisions which the Council may make under the Charter and should recommend to the GA which of these categories of decisions



should be taken by a procedural vote and which should be taken by a substantive vote. The IC should recommend that the Assembly, if it accepts these recommendations, should recommend to the SC that it adopt rules of procedure putting these recommendations into effect. The IC should, however, also recommend to the GA that since the question has arisen as to certain of the categories involved as to whether it is legally permissible to interpret the Charter in such a way that such categories of decisions may be taken by the SC by a procedural vote, the GA should request an advisory opinion on this subject from the ICJ before making any recommendation to the SC.

The US proposal might indicate a list of categories which should be considered as procedural rather than substantive. This list should include all those categories which are included in the Committee of Experts report to the SC, as well as any others which we desire to include.

The US proposal might also deal with the problem of opening up the expanded activity of the GA in connection with political questions whenever the SC is prevented by an exercise of the veto from taking action. Such a proposal might bear particularly on the immediate future during the period when long-range adjustments are in process of development. In this connection, it might be proposed that the IC could recommend to the GA that the GA adopt a resolution requesting the SC to remove from its agenda any question in regard to which it was unable to take effective steps because of the exercise of the veto, in order that the bar presented by paragraph 1 of article 12 might be removed and that the GA might be in a position to deal with the question.

The US position regarding the Four Power statement would be that specified by Mr. Dulles in his opening speech to Committee 1 in the GA. It would be clear from the content of the US list of proposed procedural decisions that it was prepared to abandon the positions taken in the Four Power statement. It would probably be useful to explain that the US would continue to abide by the present practice of the SC until after the GA and the SC had acted to revise it.

It is suggested that we should aim to complete the discussions in the Committee of Experts and to present a majority report to the SC and to have at least preliminary discussions in the SC before the US has submitted its proposal to the IC.

The ideal situation would be that the SC have an opportunity to tackle the Committee of Experts report and reach a deadlock with the Soviet Union on this, perhaps making an effort to get an advisory opinion from the court before consideration of the US proposal in the IC commenced. If this timetable should be delayed, however, it would not present any serious difficulties. The US proposals to the IC are such that they could be put forward even though the Committee of Experts report had not been finalized. If the Russian position is absolutely rigid on this issue this would provide adequate basis for moving ahead in the IC.

The outcome of such a program, assuming it was carried through the IC to the GA, would be that the UN through the Assembly would pronounce itself on how far it wished and felt it legitimate to go in liberalizing the veto within the confines of the Charter. During the

year following the next regular session of the GA, two courses of action could be followed: the first would be that the SC should proceed to adopt rules of procedure, by majority voting if necessary, as to any items which had not been submitted to the court for an opinion, the United Nations would probably have to wait for an additional year before effective action could be taken to put into effect the opinion of the court. During this entire period it would be open to the UN, if they so desired, to proceed with efforts to amend the Charter or with efforts to attain agreement among the five powers either for revision of the Four Power statement or for some similar agreement waiving the veto in certain cases. It would also be open to the UN, if they so desired, to make increasing use of the GA following the pattern of the action in the Greek case. In this connection our position might be that the philosophy of the Charter was that resort to the SC rather than to the GA was preferable where subsequent enforcement action under chapter VII might be required. Where the use of the veto precludes the possibility of action under chapter VII, the GA or a permanent "interim committee" can do as much as the SC can do, as, for example in appointing a commission of inquiry. Thus the GA would have had the power to do in the Indonesian case, and first phase of the Indian-Pakistan case, precisely what was done by the SC.

The above program is conceived with the purpose of progressing as far as possible in the direction of liberalizing the veto over the objections of the Soviet Union. Given this aim, one of its principal advantages is that it proceeds slowly and carefully and affords the Soviet Union as little excuse as possible to claim that the Charter is being violated and consequently to boycott the SC or take some other similarly drastic action.

AUSTIN

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IO Files : US/A/AC. 18/28

*Memorandum of Conversation, by Mr. Charles P. Noyes of the United States Mission at the United Nations*

SECRET

[NEW YORK,] February 3, 1948.

Participants: Sir Alexander Cadogan, United Kingdom  
Ambassador Austin, United States Mission

Sir Alexander advised Ambassador Austin at the Security Council meeting today that his Government agreed with Mr. Austin's proposal made at the meeting of the Big Five; that they would be prepared to consult together again regarding any proposals which any one of the Five planned to present to the Interim Committee on the Veto problem. He said that the British Delegation planned to present a proposal to the Interim Committee containing the same program they had placed before the permanent members of the Security Council, namely, their suggested Code of Conduct, excepting for the omission of the last proposal regarding voluntary abstention. The United Kingdom



considers that that problem has been quietly settled and that no further action is required.<sup>1</sup>

C. P. NOYES

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<sup>1</sup> The United Kingdom proposal was circulated to members of the Interim Committee by the United Nations Secretariat in United Nations document A/AC.18/17, February 10, 1948.

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501.BC/1-2448 : Telegram

*The Secretary of State to the United States Representative at the United Nations (Austin)*

CONFIDENTIAL

WASHINGTON, February 13, 1948—7 p. m.

58. Dept is in general agreement with ideas set forth in urtel 86 Jan 24. Following comments in the main supplement rather than modify views set forth urtel:

1. *Integration of US Positions in SC and GA.* Dept agrees that position on veto in GA, IC, SC and Committee of Experts must be integrated and that to as great an extent as possible procedures in all forums should be planned in advance. However, problem is so complex and day to day developments are so unpredictable that US representative must have widest discretion in presentation of US position.

2. *US Substantive Objectives.* While substantive objectives 1, 2 and 5 as set forth urtel represent changes which US would be willing to accept, nevertheless it may not be practicable to press specific proposals which will completely accomplish these objectives. On other hand objectives 3 and 4 represent changes which US has already suggested and will continue to press.

As to 1, Dept sees no reason to single out Art 52(3) as that is only a procedure or method of adjustment and therefore covered under Art 36(1). Dept is agreeable to accomplishing restriction of veto under Chapter VI through Charter amendment, through agreement among permanent members not to utilize veto, or through establishment of practice or rule that decisions under Chapter VI should be procedural. Since Charter amendment is impracticable procedure because of necessity of USSR ratification Depts proposals will be directed towards accomplishing restriction of veto through agreement of permanent members or through practice or rule of procedure.

Because of doubtful legal validity US should not support proposal for rule of procedure establishing as procedural decisions under Art 37 but may advocate restriction veto under Art 37 either through Charter amendment or agreement.

As to 2, Dept is likewise agreeable to accomplishing restriction of veto through Charter amendment through agreement of permanent



members not to utilize veto or through establishment of practice or rule that decisions on admission of members are procedural. Agreement among permanent members on admission of specific applicants might also substantially achieve Dept objectives.

As to 3 and 4, unlike 1, 2 and 5, they represent proposals which US is pressing at this time. US would of course be willing to accept as procedural certain additional categories of decisions not listed in proposed rules submitted by US.

As to 5, US would be willing to eliminate entirely part II of Four Power statement by making preliminary decision procedural matter. However since there are other means of accomplishing same objective it is suggested that US position be restated as follows:

Practices should be established in SC to ensure that part II of Four Power statement cannot be utilized to permit exercise of veto in general categories of SC decisions determined to be procedural in Charter, Rules of Procedure and Part I of statement. Dept view is that Part I, para 1 of Four Power statement establishes as procedural all SC decisions excepting decisions pursuant to Chapters VI and VII of Charter and excepting certain other specific decisions agreed upon at SF such as admission, suspension and expulsion of members and election of SYG. Under this interpretation of agreement Four Powers were justified in concluding that "It will be unlikely that there will arise in the future any matters of great importance on which a decision will have to be made as to whether a procedural vote would apply".

A sixth substantive objective which is discussed in detail in another portion of urtel might be worded as follows: "Voting procedures should be clarified in connection with all decisions which SC is required to make under Charter and under statute of ICJ".

3. *Procedure for Attaining US Objectives.* Dept agrees with position set forth in urtel that all other methods of attaining US objectives should be attempted before amendment of Charter. Dept has following observations on three possible methods of attaining objectives without Charter amendments:

- (a) Through agreement among permanent members;
- (b) Pressure within UN and outside of SC; (Recommendations of GA, advisory opinion of ICJ, etc)
- (c) Through adoption of rules of procedure, or other SC action without concurrence of USSR, utilizing voting procedures set forth in Art 27(2).

Dept position is that maximum efforts should be made both to secure agreement among permanent members and to secure UN support for US proposals. US will not at this time attempt to implement its proposals in SC through passing a Rule of Procedure or taking other action over objection of USSR.

It is not considered politically advisable at this time to attempt to pass Rule of Procedure in SC without consent of USSR. Nevertheless, Committee of Experts should report to SC showing positions of members regardless of whether agreement reached. However SC should not vote on Committee of Experts report unless agreement reached on Rules of Procedure. Likewise no attempt should be made to have SC refer issues at this time to ICJ.

At outset Committee of Experts should confine discussions to US proposals and to proposals along similar lines by other members. If question raised US should indicate unwillingness to discuss proposals in conflict with attitudes expressed in Four Power statement until after IC and GA studies.

4. *Reference of Veto Issues by GA to ICJ.* Depts position has not yet been determined. Objection was made to similar suggestion last Fall on ground that mere fact of reference regardless of exact terms would place political rather than legal issues before Court.

5. *Program IC.* Dept is preparing a program for submission to IC along general lines set forth urtel and in preparation of this paper is taking into consideration very valuable recommendations made concerning GA program. It is anticipated that paper will be completed within a week.

6. *Timing of Committee of Experts Discussions.* Dept is entirely in agreement with your suggestions.

MARSHALL

IO Files: US/S/264, also US/A/AC.18/85

*Memorandum of Conversation, by Mr. Charles P. Noyes of the United States Mission at the United Nations*

CONFIDENTIAL

[NEW YORK,] March 3, 1948.

Participants: Mr. M. E. Bathurst, United Kingdom Delegation  
Mr. C. P. Noyes, United States Mission

Bathurst had approached me previously to discuss the veto question. I had a short talk with him in the lounge yesterday. He said his Government had put forward proposals to the Interim Committee but that they did not propose to press this hard and apparently did not feel that it is of serious importance. Bathurst said he had forwarded to his Foreign Office a proposal along different lines. He had had preliminary reactions—some favorable and some not, and had been requested to discuss his proposals with us. His proposals in outline are roughly as follows:

That the Interim Committee should examine all the categories of decisions which the Security Council might take;  
That it should take from this list all those which might perhaps be considered procedural;

That it should recommend to the General Assembly that this list be sent to the International Court of Justice with the request that the Court give an advisory opinion as to which of these categories of decisions were in the Court's opinion procedural and which substantive.

I asked whether he contemplated that the General Assembly should give its own opinion as to which of these categories should be considered procedural or whether there would be an implication that the list sent to the Court should be in the Assembly's opinion procedural decisions. He said this was not in his mind. He wished to leave the Court free to decide without reference to political considerations. I said I had not yet gotten our position clear from the State Department and that until I did I would not be in a position to talk with him in detail. I hoped, however, we would be in a position to do so in a very short time and that he would then be able to give me in more detail his suggestions. He said he would be glad to at any time.

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IO Files : US/A/AC.18/86

*United States Mission Working Paper*

[NEW YORK,] March 5, 1948.

UNITED STATES PROPOSALS TO THE INTERIM COMMITTEE ON THE  
PROBLEM OF VOTING IN THE SECURITY COUNCIL <sup>1</sup>

I. STUDY OF CATEGORIES OF SECURITY COUNCIL DECISIONS

A. The Interim Committee should study the categories of decisions which the Security Council is required to make in carrying out the functions entrusted to it under the Charter and the Statute of the International Court of Justice, and should report to the General Assembly those categories of decisions which in its judgment, in order to ensure the effective exercise by the Security Council of its responsibilities under the Charter, should be made by an affirmative vote of seven members of the Security Council, whether or not such categories

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<sup>1</sup> The United States proposals were circulated to the members of the Interim Committee as United Nations document A/AC. 18/41, March 10, 1948. They were the subject of a statement of some length to the Interim Committee on March 15 by the Deputy U.S. Representative on the Interim Committee (Jessup). Mr. Jessup concluded his statement by saying that "The list presented by the United States for study was strictly provisional . . . The United States hoped for a full examination of all categories of decisions the Security Council must take, and had no preconceived ideas of what the final results of the study should be.

"A study such as was being proposed might be usefully undertaken by a sub-committee . . ." (United Nations document A/AC. 18/SR. 12, Summary Record of the 12th Meeting of the Interim Committee, March 15, 1948, p. 5).



are regarded as procedural or non-procedural. (A provisional proposed list of such categories is attached.)

B. The Interim Committee should recommend to the General Assembly:

- (1) That the General Assembly accept the conclusions of the Interim Committee's Report, and
- (2) That the General Assembly as a first step recommend to the permanent members of the Security Council that they mutually agree that such voting procedures be followed, and that steps be taken to make their agreement effective.

## II. CONSULTATIONS AMONG PERMANENT MEMBERS

The Interim Committee should recommend to the General Assembly that in order to improve the functioning of the Security Council the General Assembly recommend to the Permanent Members of the Security Council that wherever feasible consultations should take place among them concerning important decisions to be taken by the Security Council.

[Attachment]

### PROVISIONAL LIST OF CATEGORIES OF SECURITY COUNCIL DECISIONS WHICH THE UNITED STATES PROPOSED SHOULD BE MADE BY AN AFFIRMATIVE VOTE OF SEVEN MEMBERS, WHETHER OR NOT SUCH CATEGORIES ARE REGARDED AS PROCEDURAL OR NON-PROCEDURAL

1. Decisions with respect to admission of States to membership in the United Nations, pursuant to Article 4 (2).

2. Decisions to bring a question relating to the maintenance of international peace and security before the General Assembly pursuant to Article 11 (2).

3. Decisions to request the recommendation of the General Assembly concerning a matter relating to the maintenance of international peace and security being dealt with by the Security Council pursuant to Article 12 (1).

4. Decisions to cease dealing with a matter relating to the maintenance of international peace and security which is under consideration by the General Assembly pursuant to Article 12 (2).

5. Decisions with respect to the consent of the Security Council to the notifications made by the Secretary-General under Article 12 (2).

6. Decisions with respect to the request directed by the Security Council to the Secretary-General that he convoke a Special Session of the General Assembly under Article 20.

7. Submission of annual and special reports from the Security Council to the General Assembly pursuant to Article 24 (3).

8. Decisions of the Security Council as to whether a matter is procedural pursuant to Article 27 (2).

9. Determination of the parties to a dispute and the existence of a dispute for the purpose of deciding whether a Member of the Security Council shall be required to abstain from voting pursuant to Article 27 (3).

10. Decisions concerning the manner of the organization of the Security Council pursuant to Article 28 (1).

11. Decisions concerning the time and place of its regular and periodic meetings pursuant to Article 28 (2) and Article 28 (3).

12. Establishment of subsidiary organs pursuant to Article 29.

13. The election of a President pursuant to Article 30.

14. Adoption of Rules of Procedure pursuant to Article 30.

15. Decisions to permit the participation of Members of the United Nations in the discussion of any question where the Council considers that the interests of the Member are especially affected pursuant to Article 31.

16. Decisions to invite a Member State which is not a Member of the Security Council or a State not a Member of the United Nations which is a party to a dispute under consideration by the Council to participate without vote in the discussion relating to the dispute pursuant to Article 32.

17. Decisions with respect to conditions for the participation of a State which is not a Member of the United Nations in the Security Council discussions in accordance with Article 32.

18. Decisions to consider and discuss a matter brought to the attention of the Council.

19. Decisions to call upon the parties to a dispute to settle their dispute by peaceful means of their own choice pursuant to Article 33 (2).

20. Decisions to investigate a dispute or a situation which might lead to international friction or give rise to a dispute, pursuant to Article 34.

21. Decisions to recommend appropriate procedures or methods of adjustment of a dispute or situation endangering the maintenance of international peace and security, pursuant to Article 36 (1).

22. Decisions of the Security Council pursuant to Article 36 (2) to recommend to the parties to a legal dispute that the dispute should be referred by the parties to the International Court of Justice in accordance with provisions of the Statute of the Court.

23. Decisions to make recommendations at the request of all parties to a dispute with a view to its pacific settlement, pursuant to Article 38.

24. Decisions to request assistance from the Economic and Social Council pursuant to Article 65.

25. Reference of a legal question to the International Court of Justice for an advisory opinion pursuant to Article 96 (1).

26. Decision to convoke a conference to review the Charter prior to the Tenth Annual Session of the General Assembly pursuant to Article 109 (1).

27. Decision to convoke a conference to review the Charter subsequent to the Tenth Annual Session of the General Assembly pursuant to Article 109 (3).

28. Election of judges of the International Court of Justice pursuant to Article 4 (1), Article 10 (1) of the Statute of the Court. (Article 10(2) of the Statute.)

29. Decisions of the Security Council determining the conditions under which a State which is a party to the present Statute of the International Court of Justice, but which is not a Member of the United Nations, may participate in electing the Members of the Court pursuant to Article 4 (3) of the Statute of the Court.

30. Appointment of conferees in connection with election of judges of the International Court of Justice pursuant to Article 12 of the Statute of the Court. (Article 10(2) of the Statute.)

31. Determination of the date of election of judges of the International Court of Justice pursuant to Article 14 of the Statute of the Court.

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#### *Editorial Note*

The "Provisional List of Categories of Security Council Decisions" was used by the United Nations Secretariat in preparing a list of possible decisions by the Security Council. This list was used in turn, along with two other papers prepared by the Secretariat, by a Sub-Committee of the Interim Committee (Sub-Committee 3), which the Interim Committee established at its meeting on March 15. This Sub-Committee was instructed to study the problem of voting in the Security Council, along with all proposals submitted to it on the subject, and to prepare a paper to form the basis for recommendations by the Interim Committee for eventual submission to the General Assembly.

After delays attendant upon the sitting of the Special Session of the General Assembly which met in April and May on the Palestine problem, the Sub-Committee, proceeding through a "working group", undertook to establish and analyze 98 possible decisions "adopted or which might be adopted by the Security Council in application of the Charter or the Statute of the International Court of Justice." "The Sub-Committee, in its study of this list, sought to determine those decisions which its members considered as procedural within the meaning



of Article 27, paragraph 2, of the Charter, and those decisions which, whether considered procedural or non-procedural by the various members of the Sub-Committee, should in the opinion of the Sub-Committee, be taken by a vote of any seven members of the Security Council." (United Nations, *Official Records of the General Assembly, Third Session, Part I, Supplement No. 10, Reports of the Interim Committee of the General Assembly (5 January to 5 August 1948)* [in which is printed United Nations document A/578, 5 July 1948, "The Problem of Voting in the Security Council"], page 1; hereafter cited as GA(III/1), *Suppl. No. 10*).

The conclusions of the Sub-Committee were submitted to the Interim Committee in a preliminary report on June 3. In a second report on June 24 the Sub-Committee examined proposals which had been advanced as to methods for giving effect to the conclusions set forth in the preliminary report. (See GA(III/1) *Suppl. No. 10*, pages 1 ff.)

Throughout the Sub-Committee phase there was consultation between the United States and the other permanent members of the Security Council, except the Soviet Union which did not recognize the Interim Committee.

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IO Files : US/A/AC, 18/146, also US/S/597

*Memorandum of Conversation, by Mr. Joseph E. Johnson, Deputy United States Representative in the Interim Committee*

SECRET

[NEW YORK,] June 26, 1948.

Participants: M. Guy de La Tournelle, French Delegation  
Mr. J. E. Johnson, United States Mission

Encountering M. de La Tournelle in the Delegates Lounge Friday morning, I said that I had been somewhat surprised when M. Ordeneau had earlier in the week reserved the French Delegation's position on recommendations (1) and (2) of the Interim Committee's Sub-committee 3. These recommendations related to agreement among the permanent members and other members of the Security Council to regard certain decisions as procedural and certain others as subject to a vote of any seven members whether procedural or non-procedural.

M. de La Tournelle replied in effect that there was no reason for surprise, since this action was consistent with the French attitude on veto discussions in the Interim Committee from the beginning. He said that the French had opposed reference of the veto question to the Interim Committee and explained that while the French are emphatically in favor of reducing the area covered by the veto, they have always felt that this should be done by agreement among the perma-

ment members of the Security Council. When I pointed out that the resolution proposed to the Assembly contemplated exactly that, he replied in effect that even so the Interim Committee should not deal with the problem. When I asked whether that attitude carried over to the Assembly itself, he said that it did. He gave me clearly to understand that the French Delegation both in the Interim Committee and in the Assembly would refuse to favor these first two recommendations from the Interim Committee.

When I attempted to suggest that the meetings on the veto held by the Council of Foreign Ministers in New York in the fall of 1946 demonstrated the difficulty of bringing about relaxation of the veto by Five Power consultations without any other action, de La Tournelle replied that in effect those meetings had been at least partially successful because there the U.S.S.R. had definitely agreed that abstention is permissible.

In the course of our conversation de La Tournelle stated that it has always been his personal view that the French made a mistake in joining the permanent members of the Security Council. Had they not done so, they would have been, not the least of the great but the greatest of the small powers, and would have been able to play a role of leadership and of conciliation far superior to that which they had been playing.

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IO Files : US/A/AC. 18/151

*Memorandum of Conversation, by Mr. Joseph E. Johnson, Deputy United States Representative in the Interim Committee*

CONFIDENTIAL

[NEW YORK,] July 2, 1948.

Participants: M. Joseph Nisot, Belgian Delegation  
Mr. J. E. Johnson, United States Mission

1. I discussed with Nisot today the report of Subcommittee 3.<sup>1</sup> When I told him of the Chinese Delegation's desire to amend the first recommendation slightly he said that he was entirely agreeable to this proposal and would vote for it, as well as for the other recommendations. He added, however, that he was voting for it merely because he thought it was a good idea, not because he thought these recommendations would have any effect.

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<sup>1</sup>The report of Sub-Committee 3 was submitted to the Interim Committee in the form of two documents, United Nations documents A/AC. 18/62 and A/AC. 18/66; and was discussed in meetings of the Committee on July 7, July 8 and July 9 (United Nations documents A/AC. 18/15 through A/AC. 18/19). For statement in support of the report by Joseph E. Johnson, Deputy United States Representative in the Interim Committee, see United Nations document A/AC. 18/18, pp. 3 and 4.

2. I also told Nisot of Dr. Hsu's desire to include in Part IV of the Subcommittee's report a reference to the desirability of employing sparingly the right conferred upon the Permanent Members by Part II, Paragraph 2 of the San Francisco Four Power Statement.<sup>2</sup> Nisot said that his Delegation would probably abstain on this proposal since they regard interpretation of the Four Power Statement as a matter of concern solely for the Permanent Members.

During our discussion Nisot made it clear that from the juridical point of view he thinks the Soviets have the best of the argument as to the interpretation both of Article 27 and of the Four Power Statement. He was not notably impressed by my argument that matters described as procedural in Part I of the Four Power Statement should be clearly outside of the scope of Part II, Paragraph 2. He said that he remembered well that at San Francisco all the great powers had been strong for a pretty complete right of veto and that the change which had taken place was in the United States position rather than that of the Soviet Union. I insisted that the United States had never interpreted Article 27 nor the Four Power Statement, or expected them to be interpreted, as narrowly as the Soviet Union has done.

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<sup>2</sup> This reads:

"... it will be unlikely that there will arise in the future any matters of great importance on which a decision will have to be made as to whether a procedural vote would apply. Should, however, such a matter arise, the decision regarding the preliminary question as to whether or not such a matter is procedural must be taken by a vote of seven members of the Security Council, including the concurring votes of the permanent members."

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### *Editorial Note*

The report of the Interim Committee to the General Assembly on the problem of voting in the Security Council was submitted to the General Assembly in United Nations document A/578, July 15, 1948; for text, see GA(III/1), *Suppl. No. 10*, pages 1 ff.

The report consisted of four parts. Part I contained classification by categories of possible decisions of the Security Council and the criteria on which this classification was based: decisions which according to the Statute of the International Court of Justice were taken by an absolute majority of votes of six members of the Security Council, without distinction between permanent and non-permanent members; decisions which according to the Charter of the United Nations or the Court Statute were taken by a vote of any seven members of the Security Council, without distinction between permanent and non-permanent members; decisions which were of a procedural character



within the meaning of Article 27(2) of the Charter; and decisions which the Interim Committee recommended should be adopted by the vote of any seven members of the Security Council, whether the decisions were considered to be procedural or non-procedural.

Part II contained a list of 98 possible decisions of the Security Council (88 related to the Charter, 10 to the Statute of the International Court), with conclusions and comments as to the appropriate voting procedure applicable to each of them. This section made up the bulk of the report.

Part III dealt with the methods for implementation of the conclusions with regard to the items listed in Part II. Three principal methods were suggested: (1) implementation by means of interpretation of the Charter, (2) implementation on the basis of agreement among the five permanent members of the Security Council, and (3) implementation on the basis of convoking a general conference to review the Charter.

Part IV of the report—"Conclusions"—read:

"A. The Interim Committee presents the following conclusions for the approval of the General Assembly:

"1. That the General Assembly

Recommend to the permanent members and the other members of the Security Council that they deem the following items in the list of possible decisions of the Security Council to be procedural: [36 items listed by number]; and that the members of the Security Council conduct their business accordingly.

"2. That the General Assembly

Recommend to the permanent members of the Security Council that they agree that the following items in the list of possible decisions of the Security Council should be adopted by the vote of any seven members, whether the decisions are considered procedural or non-procedural: [21 items listed numerically]; and that steps be taken to make this agreement effective.

"3. That the General Assembly

Recommend to the permanent members of the Security Council that:

(a) Wherever possible, consultations should take place among them concerning important decisions to be taken by the Security Council;

(b) They agree among themselves to consult with one another, wherever possible, before a vote is taken, if their unanimity is required to enable the Security Council to function effectively;

(c) They agree that, if there is not unanimity, the minority of the permanent members, mindful of the fact that they are acting on behalf of all the United Nations, would only exercise the veto when they consider the question of vital importance to the United Nations as a whole, and that they would explain on what grounds they consider this condition to be present;

(d) They agree that they will not exercise their veto against a proposal simply because it does not go far enough to satisfy them;

(e) They agree, for the purposes of Article 27, paragraph 3, of the Charter, on a definition of a dispute, taking into account the proposal contained in the comment on item 22, part II, of the present report. [See GA (III/1), *Suppl. No. 10*, page 8.]

"4. That the General Assembly

Recommend to the Members of the United Nations that, in agreements conferring functions on the Security Council, such conditions of voting within this body be provided as would exclude the application of the rule of unanimity of the permanent members.

"B. Whereas the deficiencies observed in the present functioning of the Organization of the United Nations require due consideration,

"The Interim Committee recommends to the General Assembly to consider at its third regular session whether the time has come or not to call a general conference, as provided for in Article 109 of the Charter."

For a discussion of the position adopted by the United States toward this report, see *infra*, document SD/A/C.1/135, August 24, 1948.

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IO Files : SD/A/C.1/135

*Department of State Position Paper Prepared for the United States  
Delegation to the Third Session of the General Assembly*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] August 24, 1948.

REPORT OF THE INTERIM COMMITTEE ON THE PROBLEM OF VOTING IN  
THE SECURITY COUNCIL

PROBLEM

The problem is to determine the United States position with respect to the Interim Committee Report and the statement to be made with respect to consultations among the permanent members.

RECOMMENDATIONS

1. With the exception of the amended Argentinian resolution, which will be dealt with in recommendation 2, the United States should support adoption by the General Assembly of the conclusions and recommendations of the Interim Committee Report. However, the United States should be willing to acquiesce in modifications of certain items in the several categories of decisions in the event of a strong opposition by friendly states such as France and the United Kingdom who had reserved their position on a number of items in the Report.

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<sup>1</sup> The General Assembly was scheduled to convene at Paris on September 21. A detailed "Comment Paper" (document SD/A/C.1/136, Aug. 24, 1948), not printed, supplemented this position paper.

2. The Argentinian Resolution which is set forth as Conclusion B of the Report is to the effect that the General Assembly should consider whether or not the time has arrived to call a general conference of the Members of the United Nations as provided for in Article 109 of the Charter to consider amendments to the Charter. The United States, while not opposing General Assembly discussion of this question, should take a strong position that the time has not arrived for the convocation of such a conference or for substantial amendments of the Charter and should attempt to keep discussions of this point at a minimum. It should so far as possible, however, let other delegations take the lead on this point.

3. With respect to consultations among the permanent members of the Security Council, as requested by the General Assembly resolution, the United States should state to the General Assembly that a consultation in fact took place before the commencement of the Interim Committee studies of the voting problem without any tangible results; that the consultation confirmed an urgent need for a systematic study and further discussion of the problem and that the door was left open for further consultations; that the United States believed that further consultations would have a greater chance of producing tangible results if based on General Assembly recommendations expressing the views of the overwhelming majority of the Members; and that accordingly it seemed appropriate that any further consultations be deferred until after General Assembly consideration of the results of this first comprehensive study of the problem as expressed in the Interim Committee Report.

#### DISCUSSION

##### 1. Conclusions of the Interim Committee Report.

The first conclusion of the Report is that the General Assembly recommend to the members of the Security Council that they deem as procedural on the basis of Charter interpretation, 36 of the possible decisions of the Security Council and that the "members of the Security Council conduct their business accordingly.["] This would apply to the positions which the members of the Security Council take on the question whether or not any of these items is procedural, in case this question is raised; to the manner in which any member of the Security Council, when acting as President, interprets the result of a vote on such a question; and, finally, to the manner in which the members of the Security Council vote if the ruling made by the President is challenged."

This conclusion does not, however, take the further step of recommending that members of the Security Council, despite the opposition of one or more permanent members, regard as adopted a decision of



the Security Council which receives the support of seven members without the concurrence of all the permanent members and which likewise is voted to be procedural by seven members without the concurrence of all the permanent members. In other words, the United States considers that the General Assembly recommendation does not require the United States to depart from the attitudes expressed in the Four Power Statement, particularly the provision that the preliminary question as to whether a decision not expressly covered by the Charter or the Statement itself, is procedural or non-procedural shall be decided by a non-procedural vote. It should be noted that the conclusion does not call for adoption of new Rules of Procedure for the Security Council.

These 36 decisions may all be deemed procedural under the Charter and within the definitions contained in the Four Power Statement and the United States has consistently taken this position whenever the question has arisen. The United States believes that it would be desirable by consultation among the permanent members, to secure agreement on the procedural nature of these decisions.

As indicated above, the procedural character of the decisions covered in the first conclusion is based exclusively on the interpretation of the Charter. The second conclusion of the Report, on the other hand, is based on a different criterion; under this conclusion the General Assembly would recommend to the permanent members of the Security Council that they agree that 21 of the possible decisions of the Security Council be adopted by the vote of any seven members regardless of whether the decisions are considered procedural or non-procedural. It is expressly pointed out in the Report that the recommendations with reference to these decisions should not be considered as an expression of opinion on the question whether or not these decisions are procedural or non-procedural.

The sole basis for the selection of the decisions included in this conclusion was the view that "if these decisions are taken by a vote of any seven members of the Council it would improve the functioning of the body and permit it, promptly and effectively, to fulfill its responsibilities under the Charter". These 21 decisions include the various decisions which the Security Council may make under Chapter VI of the Charter (Pacific Settlement of Disputes) and in connection with admission of States to membership in the United Nations. In most instances they would not be deemed procedural under the Four Power Statement. The Secretary of State has, however, on a number of occasions advocated the elimination of the veto on such decisions and the recent Senate resolution supports such a course.

It should be noted that the recommendation based on the first conclusion is directed to all members of the Security Council and if

adopted it would be hoped that each member of the Security Council would act accordingly. The recommendation based on the second conclusion, on the other hand, is directed to the *permanent* members and will be put into effect only if these members agree to it. In the event of the failure of the permanent members to reach an agreement, these members will be free within the limits of the Charter to exercise their own judgment as to the vote which should govern any of the 21 decisions.

One of the 21 decisions contained in the second conclusion (No. 21) recommends elimination of the veto in connection with the decision to determine whether a matter is procedural. The United States believes that this is desirable in order to prevent the extension of the veto to fields where it was never intended to apply. However, as the United Kingdom and France opposed this item and Belgium, India, the Netherlands and Norway reserved their positions, the United States should acquiesce in the elimination of this decision from the list of decisions in this category if those nations press their opposition strongly and receive substantial support in the General Assembly. The deletion of this item would not constitute an affirmative General Assembly recommendation that the veto be retained in connection with such a decision.

This conclusion likewise recommends the elimination of the veto in connection with decisions relating to the establishment of the existence of a dispute and parties to a dispute within the meaning of Article 27, paragraph 3 which requires a party to a dispute to abstain from voting in decisions under Chapter VI of the Charter relating to such disputes; it recommends also a definition of the term "dispute" designed so as to include most of the "situations" where there are parties. The United States believes that the elimination of the veto in this type of decision is necessary in order to give effect to the underlying principle of Article 27(3) that no state shall be a judge in its own cause, whether a dispute or situation, in connection with Security Council decisions relating to pacific settlement.\*

The third conclusion, which follows closely certain proposals of the United Kingdom, seeks to establish by agreement among the permanent members certain standards of conduct to be followed by them in dealing with matters brought before the Security Council and in the exercise of the veto.

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\*For amplification, see "Technical Aspects of Proposals for Liberalized Interpretation of Article 27" (document SD/A/C.1/38; SD/S/668A), included in position papers on voting in the Security Council for second half of first session of the General Assembly; Speech of Senator Connally before Committee I, November 15, 1946. [Footnote in the source text; see *Foreign Relations*, 1946, vol. 1, footnotes 53, 58, and 14, pp. 286, 290, and 340, respectively.]



The fourth conclusion is that the General Assembly recommend to the Members of the United Nations that in agreements conferring functions on the Security Council, such conditions of voting be provided within the body as would exclude the application of the principle of unanimity. This conclusion, which was based on a proposal of the representative of Belgium, refers to new Security Council functions not provided for in the Charter. It is in accord with a practice which developed in the League of Nations and might appropriately develop in the United Nations.

The United States supported both the third and fourth conclusions, which were not seriously disputed.

2. Amended Argentine Resolution (UN Document A/578, Part 4, Conclusion B)

The resolution of Argentina as amended by Colombia and approved by the Interim Committee reads as follows:

"The Interim Committee recommends to the third regular session of the General Assembly to consider whether the time has come or not to call a general conference as provided for in Article 109 of the Charter." †

Argentina also placed on the provisional agenda of the General Assembly a separate item relating to this subject which reads as follows:

"Convocation of a General Conference under Article 109 of the Charter in order to study the question of the veto in the Security Council."

While it is entirely appropriate for the General Assembly to discuss this question, the United States should take a strong position that the time has not yet arrived for the convocation of such a conference and should press for keeping the discussions to a minimum. The chief reasons for this position are:

(a) The United States believes that the period during which the United Nations has thus far operated under the present Charter is too brief and the experience too limited to warrant the institution of an amending procedure.

(b) The United States believes that the present Interim Committee conclusions may be implemented without Charter amendment, but would not object to a Charter amendment on this subject. Therefore the chief purpose of a Charter amendment would be to secure liberalization of the voting procedure beyond that contained in the Interim Committee conclusions. It is unreasonable to suppose that an attempt to amend the Charter to accomplish such a result would be acceptable

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†It may well be argued that in approving the resolution calling for "a general conference as provided for in Article 109 of the Charter" without limiting the resolution to such provisions of the Charter as deal with the voting procedure of the Security Council, the Interim Committee acted *ultra vires*. [Footnote in the source text.]



to all of the permanent members, and in the absence of ratification by all permanent members, the Charter amendment could not take effect. Even if ratification of a proposed Charter amendment could be obtained, the amendment procedure would have the additional disadvantage of "freezing" the situation with little prospect for further liberalization.

(*c*) Argentina has repeatedly indicated that if a conference is called and an amendment adopted by  $\frac{2}{3}$  of the Members of the United Nations, it should be put into effect regardless of the Soviet refusal to ratify it. This might be seized upon as an occasion for forcing the USSR out of the United Nations.

### 3. Consultation Among the Permanent Members.

The General Assembly resolution of November 21, 1947 requested consultation among the permanent members, "in order to secure agreement on measures to assure the prompt and effective exercise by the Security Council of its functions". One such consultation actually took place on January 11 [19?], 1948 without any tangible results. The consultation confirmed not only the reluctance on the part of the Soviet Union to modify its position on the veto but disclosed also a very serious disagreement among the United States and China on the one hand and the United Kingdom and France on the other on such issues as the desirability of eliminating the veto in decisions under Chapter VI. The results of this consultation further confirmed the need for a thorough comprehensive study of the problem and for a continued discussion designed to bring the positions of the individual members as close to each other as possible. Despite the absence of concrete results from the single consultation, the door was left open for further consultations.

While it was agreed that no announcement would be made at the time of the consultations, nevertheless, it was recognized that it might be necessary to refer to the fact that such consultations had taken place, and Ambassador Austin, in his statement to the House Foreign Relations Committee on May 5, 1948,<sup>2</sup> found it desirable to make such an announcement. Under these circumstances it is appropriate for the United States to make a statement along the lines of recommendation 3.

The Interim Committee has now completed the comprehensive study of the Security Council voting problem. The most important conclusions of the Interim Committee Report are directed towards consultation among the permanent members on certain specific matters. A General Assembly recommendation based on this first comprehensive study of the problem ever made in the United Nations and reflecting an authoritative expression of the views of an overwhelming majority of the Members would serve as a more effective basis for further consultations among the permanent members. For these reasons the United States believes that such further consultations would be

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<sup>2</sup> See footnote 11, p. 28.

more likely to produce tangible results after the adoption of the General Assembly recommendations rather than before and no attempt was made to arrange for additional consultations.

As indicated above, two of the permanent members, France and the United Kingdom, reserved their position on a number of items contained in the Interim Committee Report. It might be advisable for the United States to initiate without delay further conversations with the representatives of France and the United Kingdom with a view to obtaining agreement on such items in the Report on which the three powers still disagree.† For this purpose it might become necessary for the United States to agree to the elimination of at least some controversial items from the conclusions of the Report without of course abandoning its basic position.

It might further be desirable for the United States to suggest to France, the United Kingdom and China that informal talks with the U.S.S.R. might be initiated at an early stage on the basis of the Interim Committee paper. These talks should be designed to obtain an agreement by the U.S.S.R. to future consultations among permanent members. If such an agreement could be obtained, its announcement in the General Assembly would be of considerable assistance to the opponents of the Argentinian resolution for the convocation of a General Conference. This argument might be effectively used in conversations with the Soviet Union.

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† If feasible, the Representative of China should participate in the discussions. [Footnote in the source text.]

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IO Files : US (P) /A/17

*Memorandum for the United States Delegation to the General Assembly*

SECRET

[WASHINGTON,] September 3, 1948.

MEMORANDUM OF STAFF CONVERSATIONS BETWEEN CANADA, UNITED KINGDOM, UNITED STATES, AT OTTAWA, AUGUST 30-31, 1948

Subject: Forthcoming General Assembly

Participants: Canada—Mr. L. B. Pearson; Mr. Escott Reid; Mr. Jerry Riddell; Mr. E. A. Cote; and others <sup>1</sup>  
 United Kingdom—Mr. Gladwyn Jebb; <sup>2</sup> Mr. G. E.

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<sup>1</sup> Mr. Pearson was Canadian Under Secretary of State for External Affairs and became Secretary of State for External Affairs on September 10. Messrs. Reid, Riddell, and Cote were officers of the External Affairs Department.

<sup>2</sup> Mr. H. M. G. Jebb was British Assistant Secretary of State for Foreign Affairs and Superintending Under Secretary for the United Nations (Political) Department of the British Foreign Office.

Boyd Shannon, United Kingdom High Commissioner's Office

United States—Mr. Dean Rusk, Mr. Hayden Raynor<sup>3</sup>

[Here follows a *tour d'horizon* of the principal organizational items on the agenda of the impending General Assembly session. Several were discussed both before and after this discussion of the problem of voting in the Security Council.]

(b) *The Veto*. Mr. Jebb started the discussion by indicating certain "reservations" which the United Kingdom had to the report of the Interim Committee. These appear in Tab B. Mr. Raynor attempted to ascertain just what was meant by "reservations" without success. Since Mr. Jebb's remarks indicated that the United Kingdom might not wish to take any action at all with respect to the veto, more extensive and careful consultation with them on the report of the Interim Committee is clearly indicated.

In general, the United Kingdom reservations pertain to the following:

(1) They doubt if Recommendation 2 establishing a class of decisions described as not either procedural or non-procedural is constitutional, and are against the establishment of such a category.

(2) They feel Item 21<sup>4</sup> is open to objections for the same reason stated in (1) above, and also on its own merits.

(3) A number of proposals to abolish the veto under Chapter VI would, in the United Kingdom's opinion, involve amendments. If revisions are made, they should be accomplished by the amendment method, and then as a whole and not on a piecemeal basis.

(4) Item 1 on page 7 of the Report pertaining to domestic jurisdiction, the British feel, should continue to be subject to decision by the qualified vote.

(5) On membership, the United Kingdom position is to favor postponement of the adoption of this recommendation.

(6) The recommendation that parties to a dispute be determined by an unqualified vote seems unsound to the British. They believe some ad hoc definition should be developed on this matter, holding that parties to a dispute include—(a) the state or states bringing the dispute, (b) the state or states impugned, (c) third states involved (I do not recall the details on this third category).

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<sup>3</sup> Mr. Dean Rusk was Director of the Office of United Nations Affairs; Mr. Hayden Raynor was Special Assistant to the Director of the Office of European Affairs (Hickerson); both were designated advisers to the United States Delegation to the General Assembly; later in the session Mr. Rusk was appointed Alternate U.S. Representative to the General Assembly.

<sup>4</sup> Item 21 read: "Whether a matter is or is not procedural within the meaning of Article 27, paragraph 2." The "Conclusion" drawn in the Interim Committee Report was, "That this decision should be adopted by the vote of any seven members of the Security Council." (For texts, see GA (III/1), *Suppl. No. 10*, p. 6.)



The British position is to pursue a middle course until the time for amendment arises. They do not see any constructive result coming from work in this field of the Interim Committee.

Mr. Riddell stated that he hoped that the report of the Interim Committee, after approval by the General Assembly, would become a guide for the use of Presidents of the Security Council in ruling upon the effect of votes in the Security Council. Mr. Rusk indicated that we were not clear that this could be done and that we were inclined to believe that the recommendations of the Interim Committee could become effective in the Security Council only after the agreement referred to in the recommendations of the Interim Committee itself. At the conclusion of the discussion, the consensus seemed to be that the report of the Interim Committee might serve as a guide for establishing new precedents in the Security Council as a basis for negotiation among the permanent members.

There was general agreement that the Argentine proposal with respect to calling a general conference should be defeated, although Mr. Rusk indicated that the tone of the United States position would undoubtedly be affected by the Vandenberg resolution. The Canadians made a strong point that at all costs a revisionary Conference at this time should be avoided.<sup>5</sup>

[Here follows discussion of other matters.]

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<sup>5</sup> At a subsequent meeting in Washington on September 4, which the Canadians did not attend, and at which political issues confronting the United Nations were chiefly discussed, with the attendance of specialists from the Department of State, the subject of the problem of voting in the Security Council came up:

"Mr. Jebb said that he had received a preliminary reaction from London to the points made on the veto question in our discussion in Ottawa. He said he thought the United Kingdom would arrive at the view that they could perhaps agree in principle to the proposals, provided they were put forward in the light of the formulation of a general guide to the Security Council. If the question is approached in the Assembly in that manner, Jebb expressed the view that the British might drop their reservation which he outlined in Ottawa. Under the circumstances Jebb did not wish to leave with us the memorandum which he had promised to give us at Ottawa outlining the reservations in detail." (IO Files, document US (P)/A/16, Memorandum of Conversation, Washington, Sept. 4, 1948)

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IO Files : US/A/1193

*Memorandum of Telephone Conversation, by Mr. G. Hayden Raynor, Special Assistant to the Director of the Office of European Affairs (Hickerson)*

CONFIDENTIAL

[WASHINGTON,] September 7, 1948.

Participants: Mr. Denis Allen, Counselor, British Embassy  
Mr. Hayden Raynor, EUR, Department of State

Mr. Allen called me this afternoon and said that the Embassy had received a telegram from the Foreign Office regarding the United

Kingdom position on the veto which was addressed to Jebb but, of course, arrived after his departure. It was in reply to the message which Jebb sent to the Foreign Office following our veto discussion in Ottawa. The telegram indicates that the British maintain the two following reservations: (1) Doubt as to the wisdom of applying a self-denying ordinance to Chapter VI decisions or recommendations, (2) Doubt as to the wisdom of a self-denying ordinance being applied to the question of whether or not a matter is procedural or non-procedural.

Subject to the two reservations enumerated above, the British see some advantages in the proposals going forward to the Security Council in the nature of some kind of general guide for the conduct of the Council. However, the British will find it difficult to vote favorably on this matter as it now stands in the form of a recommendation to the Security Council. They feel that on this matter constitutional amendments are involved and that the direct recommendation method would be a dubious expedient. The telegram continued, however, with the statement that the British might be able to support these proposals if the form in which they are put up was revised so that it read along the line of urging the Security Council to consider how far it would in practice be practicable to follow the procedures suggested. The telegram concluded with an expression that the Foreign Office believes that the practicable results achieved in any event will be small but that there may be some credit to be attained by supporting these veto proposals in some way, and it may also have the result of further stressing Russian intransigence.

Mr. Allen said that if we wanted to discuss this matter further with him before the Delegation left he would be at our disposal. I told him that we might possibly want to do so after our experts on the veto had reviewed this information, but that I thought it likely that any further or detailed discussions could await the arrival of both Delegations in Paris.

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IO Files : US (P) / A / C.1 / 84

*Memorandum of Conversation, by Mr. James N. Hyde of the United States Delegation Advisory Staff*

SECRET

[PARIS,] October 5, 1948.

Participants: Mr. Pierre Ordonneau, French Delegation  
Mr. Naudit, French Delegation  
Mr. J. N. Hyde, United States Delegation  
Mr. Eric Stein, United States Delegation

*Veto*

At our request we met Messrs. Ordonneau and Naudit for lunch with the understanding that we would discuss the veto. The representative

of France had reserved his position on the conclusion of the Interim Committee that 36 decisions be deemed procedural within the meaning of Article 27(2) of the Charter and on a second recommendation that the permanent members of the Security Council agree that 21 additional decisions should be adopted by a vote of any seven members of the Council whether or not they be considered procedural. Ordonneau, representing France in the Interim Committee, has never gone into detail as to the reason behind these reservations and stated his government's position in one long speech in a sub-committee. At the time he told us that he was speaking under strict instructions to proceed cautiously and avoid offending Soviet sensibilities.

We began by speaking at some length about the Veto Report of the Interim Committee as we see it. We noted the broad French reservations and since Ordonneau was away from Lake Success when the Report was going through the Interim Committee we had not been able to discuss the technical details with him. Beginning with M. Schuman's speech in the general debate, we mentioned the French concern over Soviet veto of membership applications, particularly the Italian application, and also his statement that the excessive use of the veto reflected the basic difference of views threatening the future of states and individuals.<sup>1</sup>

We felt that the French views on membership are precisely the same as ours and that, therefore, this is one category of decision covered by the second recommendation of the Interim Committee on which we are both in agreement. With a view to seeking the largest area of agreement among the permanent members, we therefore suggested that we should, with our French colleagues, go over all these categories and see where we agree and where we disagree with a view to reducing their broad reservations to particular categories.

We spelled out the exact nature of the second recommendation and that it is simply to the effect that the permanent members would attempt to agree among themselves that the decisions covered by it should be taken by any seven votes. We recognized that the area of agreement with the Russians at this time might be small or non-existent but we would at least have accomplished something by presenting to the Assembly a Report on which the other four members find themselves in accord. We noted that the French had a specific reservation as to Item 21.<sup>2</sup> We stated that we could quite understand their position

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<sup>1</sup> Robert Schuman, French Prime Minister and Minister for Foreign Affairs, Chairman of the French Delegation to the General Assembly. M. Schuman's speech was made on September 28; for his remarks concerning the veto, see GA(III/1), *Plenary*, pp. 235-236.

<sup>2</sup> See footnote 4, p. 243.



there. We stressed that there is no intention on the part of the United States to have the categories covered by the second reservation regarded as accepted until after there has been agreement among all of the permanent members. We have always made this quite plain and have been subjected to some criticism for our action as in the Czech case where we were criticized by the Chinese.

Considering the first recommendation which would commit those states accepting it to deem as procedural certain categories and act accordingly, we would like to go through this list with the French. We described it as essentially a particularization of Part I of the Four Power Statement and stated that so far as we were concerned we considered it as committing us to no action inconsistent with that document. If our French friends felt that there are categories contained in Category 1 which should not be so characterized, we would be glad to reexamine this matter with them. We recalled that we had been careful to state that the United States would not abandon the statement of general attitude which the Four Power Statement represents until there is general agreement among the five permanent members on the second recommendation.

We recalled Ordonneau's speech in which he suggested that the Report was perhaps an effort to nibble away at the veto by means of the second recommendation and we suggested that really this is nothing more than the development of a principle similar to the abstention principle to which we knew the French were sympathetic. The second recommendation being completely conditioned on agreement between all the five permanent members, we could see in it no attempt to do away by some indirect or illegal means with the veto. At the same time, we feel that this is the sound and conservative way of dealing with the problem which the Argentine representatives and others want to face by calling an immediate conference to amend the Charter and proceeding with such amendments irrespective of Soviet acceptance. We and the French agree that this is a dangerous and undesirable concept and we pointed out that the way to oppose it is with a recommendation along the lines of that contained in the Report. We concluded by pointing out that our own policy as to the veto is clearly stated in the first objective of the Vandenberg resolution and that the Report as it stands embodies that objective and at the same time gives us a way for defeating the rather irresponsible efforts for a dramatic way of limiting or doing away with the veto.

Having listened to the above presentation, Ordonneau stated and repeated that he considered the Report a sound document and that he liked it. He and his colleague readily agreed to sit down with us and go through it item by item with a view to removing their general reser-

vation which he described as precautionary taken simply to save their position for consideration at this time. He stated that they would ask us to change certain decisions from Category 1 to Category 2. He was asked the nature of their objection to removing the veto from Chapter VI. He replied that he felt this was dangerous for political purposes and recalled that all of the cases handled by the Security Council except Palestine have been Chapter VI matters.

As we discussed the nature of the second recommendation, Mr. Nandit suggested that it was fundamentally looking toward a new Five Power Statement. We agreed that once the Five Powers had accepted the second recommendation it would in some particulars affect the Four Power Statement and in that sense would constitute a new Five Power Statement.

We then considered the tactics for presenting the suggestions to the Assembly. Ordonneau suggested perhaps a joint resolution by the British, French and ourselves along the lines of the Report. We agreed that this would be the best way for defeating Arce's idea for a conference. We stated that we had not conferred with other delegations on the veto until we had the French views. Ordonneau asked us for dinner on Tuesday, October 12, to get down to the technical questions with our papers before us. He enquired whether it would be well to ask the United Kingdom and we suggested that perhaps it would be better to get our own position clear first, recalling that the British objections are similar to the French and from our point of view it would be undesirable to face two of them opposing us at the same time. We agreed further that we will have to reconcile the Chinese representative to a position that may be more conservative than he would like but Ordonneau suggested that the Chinese position was more perhaps the personal position of Dr. Hsu than his delegation's. We left the subject with the understanding that we will proceed to work out a means of doing away with the French general reservations and that we will confer with the British in the immediate future.

[Here follows discussion of other subjects.]

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IO Files : US(P)/A/C.1/100

*Memorandum of Conversation, by Mr. James N. Hyde of the United States Delegation Advisory Staff*

SECRET

[PARIS,] October 11, 1948.

Participants: Mr. James E. Fawcett, United Kingdom Delegation  
Mr. P. S. Falla, United Kingdom Delegation  
Mr. Harding Bancroft, United States Delegation  
Mr. Eric Stein, United States Delegation  
Mr. J. N. Hyde, United States Delegation



We arranged for lunch with the United Kingdom men handling the veto to work out what our general approach should be, bearing in mind that we had previously had such a conference with the French.

Falla stated that they did not see anything particularly useful in the veto paper because it was not likely that the Russians would accept any part of it and nothing can be done without them. Furthermore, there is little use in taking a position on these questions before one has to and the whole question is academic. It might be all right to recommend the report to the members, briefly ask the Russians if they agree, and in the absence of such agreement let the matter rest there. The United Kingdom is interested in the idea of a code of conduct in the Security Council and that is probably the maximum extent of the usefulness of the report. Also, the legal representatives feel that perhaps this is a back door attempt to amend the Charter that will stir up the Russians needlessly and give them some additional ground for claiming that we are trying to take the veto away from them contrary to the agreement at San Francisco. The British generally are skeptical of the classification of decisions suggested by the second recommendation and think that a matter must be either substantive or procedural with the possible exception of the category of decision under paragraph 2, Part II, of the Four Power Statement which is a "special category" by itself. Falla summed it up by saying that the report seemed to be tilting at windmills and not particularly useful and there is no reason to suppose there will be any constructive result from the work in the absence of Russian agreement.

We addressed ourselves to this general approach and indicated our positive attitude toward the Interim Committee report. In the first place, we pointed out that other members have an interest in the veto and this is the first time since San Francisco that the subject has been discussed and their views known. We recalled that the Interim Committee was charged with this task on the theory that it could produce some light with less heat. Along the lines of our conversation with the French we stressed the fact that the second recommendation is something that to be effective would have to be agreed upon by all five powers. We recognized that it is unlikely that there will be an area of agreement with the Russians now. However, the study would mean nothing except to indicate substantive differences of opinion between the other four powers if it were allowed to drift away with no clear action by the Assembly and with broad reservations by France and the United Kingdom. We pointed out that the Interim Committee discussion disclosed considerable disagreement among the United States, France and China. If an agreement among the four powers could be reached that would be an important step forward. Moreover, the implementation of a General Assembly recommendation listing proceed-



ural decisions under Category 1 would not be subject to Soviet agreement. These were two general results we expect from the Interim Committee work. We recalled that there is a strong movement by articulate members of the Assembly to call a conference, the extremists being willing to amend the Charter and proceeding without Russian participation. The way to meet this is to have something to suggest in its stead. We consider that the veto report is that something of a sound conservative nature and having some long term value. Furthermore, it will be a useful guide when acted upon by the Assembly, in the hands of each President of the Council.

We further mentioned that under the terms of the Vandenberg resolution <sup>1</sup> this is an important objective of our policy and that therefore we propose to press it.

As to the point that this is a back door method of amendment we pointed to the principle of abstention which is generally accepted as a useful practice. We pointed out that recommendation 2 would be effective only by agreement and would therefore be a development of practice under the Charter for which the principle of abstention is a precedent.

The United Kingdom representatives, while not enthusiastic, admitted that the report would be useful in meeting the movement for calling a conference and recognized that our local political situation committed us to such a course of action. We suggested that if there were no basic agreement in principle between us as to the usefulness of the Interim Committee report, then there was some question in our minds as to the usefulness of going through it category by category and thereby in effect doing over the work of the Interim Committee. They went on to observe that their reservations are limited and agreed that therefore it might be possible to get together on a resolution and on general tactics so that it would be worth while to go through the present report and see what categories of decisions we are all in agreement upon. Then they showed us a draft containing what they would like to see in such a resolution. It contained some eight paragraphs rather equally balanced in emphasis. Only one of them referred to the recommendations of the Interim Committee dealing with the veto itself and that paragraph suggested that the members of the General Assembly be "invited to accept" the recommendations of the Interim Committee taking into account the reservations made in the report and even this paragraph emphasized the usefulness of the code of conduct for the Security Council which the report mentions and which is also mentioned in Mr. Bevin's speech.

We went on to discuss some of the particular categories of decisions where we might want to make changes. We referred to the request for

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<sup>1</sup> For text of the "Vandenberg Resolution," S. Res. 239, June 11, 1948, see footnote 7, p. 25.

an advisory opinion of the Court now classified as a procedural matter on which a question is raised. This led to a discussion of Part II of the Four Power Statement and Fawcett emphasized the usefulness of the precedent in the Czech case.<sup>2</sup>

We concluded that there was sufficient agreement among us as to the over all question and the matter of how the veto should be handled to make it worth while to examine in detail the area in which we and the British agree on categories of decisions. We mentioned our idea of a resolution which would contain the recommendations of the report setting out each category of decision under the recommendation to which it relates.

We left with the understanding that we would go on to discuss details and tactics. It is clear that Falla has no real enthusiasm for the project and regards its usefulness as simply a political tactic to defeat Latin American movements to call a conference. However, Fawcett seemed to feel that the report would be a useful document in the operations of the Council and for the guidance of its President.

JAMES N. HYDE

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<sup>2</sup> The reference is not altogether clear. The question of Czechoslovakia was before the Security Council actively in several forms during March-May 1948, and is usefully described in general terms in United Nations, *Official Records of the General Assembly, Third Session, Supplement No. 2, Report of the Security Council to the General Assembly 16 July 1947 to 15 July 1948*, pp. 112 ff. The probability is that Mr. Fawcett's allusion was to the Security Council voting on May 24, in which the Soviet delegate, Gromyko, cast two negative votes in exercise of the so-called double veto, resulting in a rejection by the Council of a draft resolution calling for the appointment of a sub-committee to hear "evidence, statements and testimonies" concerning the recent political changes in Czechoslovakia. (See bracketed note, p. 172.) It is possible that the reference to "the usefulness of the precedent" was an allusion to the fact that some members of the Security Council (as of May 1948) had thought that Mr. Gromyko did not realize the implications of his position when throughout the May 24 meeting he had seemed tacitly to accept the view that no ruling on voting procedure by a president of the Security Council could be changed except by the affirmative vote of seven members. For the proceedings of May 24, see United Nations, *Official Records of the Security Council, Third Year, No. 73*, pp. 1-35. See also United Nations, *Repertoire of the Practice of the Security Council 1946-1951* (New York, 1954), pp. 149 and 150 (case 49) and pp. 156 and 157 (case 86).

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IO Files: US(P)/A/C.1/197

*Memorandum of Conversation, by Mr. Eric Stein of the United States  
Delegation Advisory Staff*

CONFIDENTIAL

[PARIS,] October 25, 1948.

Participants: Mr. Fawcett, Legal Adviser to the Permanent United  
Kingdom Delegation to the United Nations  
Mr. James Hyde, United States Delegation  
Mr. Eric Stein, United States Delegation

We discussed the Interim Committee report on the veto with Mr. Fawcett in two three-hour sessions on October 20 and 21. He read us



much of the Foreign Office Position Paper. This substantiated what our previous talk with Falla and Fawcett indicated, that the Foreign Office considers the second recommendation of the report as an attempt to amend the Charter by the back door. Fawcett is now convinced that all we want is a Big Five agreement not to exercise the veto as to certain categories of decisions. He referred to this as a self-denying ordinance, as opposed to the Foreign Office idea that we were urging in effect that a negative vote should not be considered a veto. Fawcett will present the matter to his delegation and urge that there is no basic objection to the report.

Fawcett agreed that it would be most desirable for the Big Four to reach a much wider area of agreement than that reflected in the Interim Committee Report so that most if not all of the important reservations made by the United Kingdom and French Governments could be eliminated. However, we made it quite clear that in seeking such agreement the United States could not sacrifice the principles underlying its position on this subject.

Fawcett has been extremely cooperative and frank throughout the discussions.

We examined all of the 98 possible Security Council decisions listed in the Report on which the Interim Committee made recommendations. The following are the tentative suggestions made by Fawcett with an express understanding that they will have to be further passed upon by the Delegation:

*I. Conclusion 1 (decisions which the Interim Committee deemed procedural)*

1. Category 26 and 27. Fawcett is of the opinion that a decision to establish a subsidiary organ may involve a substantive decision such as a decision to investigate. Consequently, we suggested that the text of these two categories might be revised so as to eliminate this difficulty.

2. He is definitely opposed to considering as procedural the decision in category 83 (request to the International Court of Justice for an advisory opinion on a legal question). We agreed that since the Security Council would and should abide or act in accordance with a Court opinion the request for such opinion affects the substance of and the eventual action on the matter.

*II. Conclusion 2 (decisions with respect to which the permanent members agree not to use their veto privilege)*

Fawcett wondered how this conclusion could be put into effect even if an agreement is reached. We all agreed that in case of such agreement a permanent member would simply abstain instead of voting in the negative with respect to decisions falling within this conclusion whenever there are seven or more affirmative votes in support of the decision. With this understanding Fawcett agreed that Security Council decisions on admission of a State to membership should be retained in this conclusion. He had the following further comments:



(1) He had a fundamental objection to the inclusion of category 21 relating to the decision whether a matter is or is not procedural. He argued that this decision falls into a special category of "non-procedural" decisions within the meaning of Article 27(3). He believes an agreement to eliminate the veto from this decision might in effect lead to the elimination of the veto altogether; to propose the inclusion of this category means in effect to propose a potential complete elimination of the veto.

(2) He did not object to category 21a (decision whether any matter falls within one of the categories which the Interim Committee recommends should be determined without a veto) but thinks it is not particularly practical at this time since it presumes an agreement with respect to the decisions in the second conclusion which cannot be expected in the immediate future.

(3) Category 22 (decision to determine whether a question is a situation or a dispute for the purposes of Article 27(3)). Fawcett feels that this decision is of the same nature as the decision in category 21 (see 1 above). Moreover, he does not agree that a definition of a dispute championed by the United Kingdom in the Interim Committee would serve any useful purpose and he hopes that he will convince his Delegation to drop it.

Fawcett thought that the United Kingdom would agree to the retention of most of the decisions under Chapter VI in the second conclusion. For example, the United Kingdom will probably agree to the retention of category 41 (calling upon the parties to settle their dispute by peaceful means), category 42 (inviting the parties to continue or to resume their efforts to seek a solution through peaceful means of their own choice), and category 48 (recommending that a legal dispute should be referred to the International Court of Justice).

Fawcett did not want to commit himself on other decisions under Chapter VI until his Delegation considered the United Kingdom Position Paper in the light of his views. However, he personally thought that the United Kingdom might not agree to the inclusion of category 43 involving the decision to investigate under Article 34. As we concluded, Fawcett stated that in presenting the case to his Delegation he was faced with his Government's view that an agreement in advance on matters of this sort is undesirable.

ERIC STEIN

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IO Files: US(P)/A/M(Chr)/23

*Minutes of the Twenty-third Meeting of the United States Delegation to the Third Regular Session of the General Assembly, Paris, Hotel d'Iéna, October 28, 1948, 9: 15 a. m.*

SECRET

[Here follows list of persons (30) present, which included the full Delegation of nine Representatives and Alternate Representatives; for documentation regarding the composition and organization of the

United States Delegation and its Advisory Staff and arrangements for the conduct of United States affairs at the Paris session of the General Assembly, see pages 1 ff.]

### *The Veto*

Mr. Blaisdell explained that the veto question arose this year from the report of the Interim Committee on the problem of voting in the Security Council. He pointed out that Committee 1 had not yet established the priority of its consideration of this item, although it had been listed fifth on the items allocated to Committee 1 by the President of the General Assembly. He called to the attention of the Delegation the relevant position paper (SD/A/C.1/135).

Mr. Stein explained that this was the third time the General Assembly had considered the problem of the veto. It was a most controversial issue, both because of the frequent use by the USSR of the veto (29 times) and the opposition to the veto on principle of a number of small states. The Interim Committee last year had been requested by the General Assembly to study the veto question in detail. Its report was the result of the first comprehensive study of this matter. It had taken as the basis of its work 98 possible categories of decisions and had made recommendations as to the voting procedure required of the Security Council in each case. The staff recommendation was that the United States should support the adoption of the report and recommendations of the Interim Committee on the veto.

Mr. Stein then summarized the conclusions of the Interim Committee Report. First, the General Assembly should recommend to the members of the Security Council that they deem as procedural on the basis of Charter interpretation 36 possible Security Council decisions. This recommendation was to apply to the positions of the members, to the ruling of the president in interpreting the result of a vote on such a question, and also to the manner in which the members of the Security Council should vote if the ruling of the president were challenged. Mr. Stein explained that this recommendation was somewhat qualified in that if, for example, the USSR should attempt to block the decision as to whether a matter was procedural, by the so-called veto, the United States should consider whether under the particular circumstances of the individual case the matter was actually procedural and whether to depart from the Four Power Statement at San Francisco. In other words, in cases where this issue was raised, the United States would not automatically take the view that the decision was carried by an affirmative vote of 7 members of the Council.

The second conclusion of the Interim Committee was that the Assembly recommend to the permanent members of the Security Council, that they agree that 21 of the possible decisions of the Council be taken by the vote of any 7 members, regardless of whether the decisions are



considered procedural or non-procedural. Mr. Stein pointed out that if the five permanent members could agree on these 21 matters, it would improve the effectiveness of the Security Council. The most important matters covered were the admission of states to United Nations membership and decisions under Chapter VI of the Charter, dealing with pacific settlement of disputes. Mr. Stein noted that this recommendation could be implemented only by agreement of all five permanent members.

There was one remaining point raised by the Interim Committee Report which the Delegation should consider. It stemmed from the recommendation based on an Argentine proposal that the Assembly consider whether the time has come to call a general conference, as provided for in Article 109 of the Charter, in order to amend the provisions on voting procedure. Mr. Stein recommended that the United States take the position that the time has not yet arrived either for a general conference or for amendment to the Charter.

Mr. Stein explained that the basic objective of the United States was to obtain a certain liberalization of voting procedure, particularly through the elimination of the veto on applications for membership and peaceful settlement. He recalled that this was the position taken by the United States in the General Assembly in 1947, and also was the position of the so-called Vandenberg Resolution, passed by the Senate in June 1948.<sup>1</sup>

Mr. Stein noted that Britain and France had entered certain reservations to the resolutions of the Interim Committee. Their particular objection was to the elimination of the veto on matters involving peaceful settlement. He pointed out the interest of the United States in obtaining complete agreement on this matter so that there could be no particular reservations entered to the action of the General Assembly.

Preliminary discussions on the working level with the United Kingdom Delegation had been held to explore the question whether and to what extent it would be willing to drop these reservations. It seemed clear that so far as pacific settlement under Chapter V [VI?] was concerned, it would not abandon opposition to the elimination of the veto, particularly with respect to initiating an investigation and making recommendations as to the terms of settlement of a dispute. The position paper envisaged possible United States agreement to omitting some of the controversial matters from these recommendations. Certainly one could not be sanguine as to the prospect of rapid progress on this matter. If only the first recommendation of the Interim Committee were accepted, there was good ground to believe that progress

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<sup>1</sup> For text, see footnote 7, p. 25.



would be made through the developments of practices and the establishment of precedents. Mr. Stein emphasized, however, that there was no hope of voluntary agreement by the USSR on these recommendations of the Interim Committee. Nevertheless, the adoption of the recommendations by an overwhelming majority would be another stage in the United States effort to obtain agreement and to exert pressure by public opinion on the USSR to modify its views on voting procedure. The voluntary approach seemed preferable to an attempt to amend the Charter, since an amendment would require Soviet ratification.

Turning to the position paper, Mr. Stein referred to the first recommendation. This was that the United States should support adoption of the conclusions and recommendations of the Interim Committee, but should be willing to acquiesce in modifications of certain items in the several categories of decisions in the event of strong opposition by states such as France and the United Kingdom, who had reserved their position on a number of items in the report. Mr. Stein said it would be necessary for the Delegation to decide how far the United States should go in acquiescing in such modifications. He pointed out that the second recommendation, dealing with the question of convocation of a general conference and taking the line that the time has not yet arrived for such a conference, followed the Vandenberg Resolution in principle. The third recommendation related to consultation among the permanent members, as recommended by the General Assembly last year.

Mr. Dulles said this problem was in a sense academic in that it was quite certain that the USSR would not accept any modification of the present voting procedure. In other words, the Assembly's consideration would probably have no positive results. However, from the psychological standpoint he believed the matter was far from academic since a strong sentiment existed in other countries and in the Congress that something should be done to modify the veto. For this reason, if nothing were done, the United States would be subject to serious criticism. He pointed out that both the Interim Committee's Report and the so-called Vandenberg Resolution contemplated giving up the veto entirely on all matters under Chapter VI. It now seemed that the British and French would not go along on this particular, as regarded investigation and substantive recommendations. He said he had some sympathy for their viewpoint because an investigation, for example, could be a serious affair if it involved sending a commission to a state which did not wish to receive it. If there was to be a veto at all, there was a good deal of justification for it in this case. He pointed out that these states were concerned lest such commissions be sent into colonial territories, for instance, to take testimony; also the personnel of such a commission might include Soviet representatives.

Mr. Dulles told the Delegation that he had cabled Senator Vandenberg last night for his views as to whether he would consider it practical to meet the British and French views to this extent in order to get four power agreement. It seemed to Mr. Dulles important to keep a united four power front. He had also said in his cable that if the United States were to apply pressure at the top it might get the British and French to recede from this position. There were, however, so many more urgent matters on which such pressure might be required that he was reluctant to use it in this case. He suggested that the Delegation's decision should be guided by Senator Vandenberg's reaction to this cable. If the Senator did not think it wise to make these concessions, the Delegation could review the situation.

Mr. Jessup said that in the first place he agreed that it would be desirable to get an alignment with the British and French. In any such agreement with the British and French, however, the United States should remain in a position where it could reserve its freedom of action in debate to say that it was willing to go further in the discussion of liberalizing the voting procedure but in the interest of agreement had accepted a median position. He raised a question as to the interpretation of recommendation on the Interim Committee conclusion with respect to the 36 procedural decisions. Under this recommendation, the United States was to consider if there was any objection in a particular case, whether the matter was covered in the Four Power declaration of San Francisco and would examine on its merits the question whether a motion was adopted despite a Soviet veto. He felt that the United States was going to be in a bad position if this issue arose. The United States would obviously be in a key position to determine how a vote should be interpreted. If it receded from the position established by the Assembly resolution in favor of the Four Power Declaration there might be serious consequences. He thought this was a dangerous position, and not a courageous attack upon the real problem. He wondered whether it was the intention of the United States to make clear in the Assembly the limitation which it placed upon the language of the Interim Committee recommendation. Otherwise, he feared we would be charged with backing away from the action of the General Assembly which we had supported. He pointed out that the whole activities of the Interim Committee, and this report, in particular, were very largely the production of the United States.

Mr. Cohen said he wanted to support Mr. Jessup's position most strongly. As he saw it, the issue was how far the United States should take the Four Power Declaration, which was not a part of the Charter, and extend it beyond the actual necessities of a situation. Once there was action by the General Assembly, it seemed to him to be very serious for the United States to say it disregarded the action of the Assembly in favor of a mere Declaration by the four powers. (Mr. Dulles had



previously pointed out that the General Assembly recommendation was not legally binding.) Mr. Cohen thought it was very important not to discount the value of the recommendations of the Interim Committee in connection with the development of liberal constitutional practice. Such trends as this might have more effect than actual legal changes. He regarded the IC reports as only a start towards finding the potentialities within the Charter to eliminate the supposedly unfortunate effects of the veto. As regarded the difference of opinion with the British and French, he hoped their points might be met by watering down somewhat the effect of the acceptance of the General Assembly of the IC report, rather than by cutting down its actual recommendations. He suggested that at this stage it might be best to let the IC report stand on its own feet rather than get its unqualified acceptance, which might start debates on details with the result that hasty decisions later to be regretted would be reached. He thought there might be some possibility of changing the nature of the endorsement of the report rather than to tinker with the report itself.

Ambassador Austin thought that a General Assembly resolution would be of some help to the five permanent members. The individuals on the representative level in the Council showed general timidity on this matter. All his discussions had shown that the permanent members had many doubts. He thought that if the Assembly could give them a little courage, it would be a good thing, particularly since the majority favored this liberal position.

Commenting on the remarks made by Mr. Jessup and Mr. Cohen, Mr. Dulles pointed out that they developed from the recommendation that we would not necessarily regard a decision on procedural matters as binding on us in the future. This would be contrary to the Four Power Statement. While it was quite true that this statement was not regarded as a legally binding declaration, the United States feeling free to depart from it, there was considerable legal foundation in the interpretation in the Declaration, since it was made when the Charter was being drafted. He saw no reason why we should let a General Assembly resolution bind us since the Assembly had no power to make binding interpretations of the Charter. He saw no reason why, as a permanent member, the United States should give up its own responsibility in this regard. The Assembly resolution would have no more legal status than the Four Power Declaration we should not expect to comply literally, but should be free to look the situation over.

Mr. Cohen doubted whether there was much difference of opinion between Mr. Dulles and himself. Directing his attention first to the



weight to be given to action by the General Assembly as against the Four Power Statement, he agreed that the United States would not be absolutely bound in either case. He had intended only to say that greater weight should be given to the action of the Assembly. In the second place, quite apart from the Four Power Declaration, as a matter of principle, he thought the United States should give the greatest weight to the General Assembly resolution, although it would obviously not be absolutely legally binding upon the United States.

Mr. Jessup said that, in effect, if the resolution were adopted, the question is put up to the United States to accept these interpretations as the guide it will follow in its conduct in the Security Council. Voting for the resolution we would say we regarded the resolution in this light. Then a case might come along, and we would think that this position might antagonize the USSR so we review the case on its merits in the light of the Four Power Declaration. He thought it was necessary to be very careful as to the kind of statement we made. Either we should water down, in our statements before the vote, the nature of the recommendation, or we would subsequently be in a position of going back on the resolution we had voted for.

The Secretary asked Mr. Cohen to elaborate his remarks with respect to the first recommendation 1 as to what he meant by "watering down" action on the report of the Interim Committee. Mr. Cohen said he was thinking of the problem which would arise if, in line with the Four Power Declaration and contrary to the Vandenberg Resolution, the United States should not insist on the elimination of the veto in matters of pacific settlement. He would prefer to see the Assembly simply take note of the report of the Interim Committee, commend it for its work, and ask the various organs of the United Nations to give consideration to its work. He was simply throwing out this idea as a possible alternative avenue of approach.

Ambassador Austin inquired whether the United States would be presented with a resolution covering the entire report, or whether it would be able to consider the various recommendations in separate resolutions. Mr. Dulles replied that the Interim Committee had made a global recommendation. The remaining problem was the means of giving effect to the IC report; should the resolution follow the IC report or, to achieve four power unanimity, should some modifications be made? He pointed out that the first recommendation dealt with the question whether the Assembly Resolution should modify or wholly reflect the recommendations of the Interim Committee with respect to matters under Chapter VI. The paper recommended that an attempt

be made to achieve four-power agreement even if it should involve modification of the Interim Committee Report. There were the 26 decisions on which we would follow the recommendations of the Interim Committee completely. On the additional 21, where matters of substance were involved, we might leave out two in the interest of four power agreement.

Mr. Stein stated that the British would prefer a general resolution along the line suggested by Mr. Cohen. Such a resolution would simply note the report of the Interim Committee with approval. That approach, of course, did not follow the recommendation of the Interim Committee. As he saw it there were three alternatives. There could either be a general resolution, taking note of the Interim Committee's Report, or the resolution could approve the totality of the recommendations of the Interim Committee, or the resolution could approve some of the recommendations of the Interim Committee.

Mr. Rusk said he felt that if the Dulles argument were followed, of taking something less than the full position of the United States, he hoped it could be put in such a way that it would not appear that the United States had receded from its position. Mr. Dulles agreed that this would be indispensable since it had repeatedly been stated the United States was willing to forego the use of the veto on everything under Chapter VI. The terms of the Vandenberg Resolution had made this position even stronger. Mr. Rusk noted that the Senate had even wanted to include Articles 39 and 40 in the group to which the veto should not apply.

Mr. Wilcox pointed out that the Senate resolution was couched in very general terms. It suggested the elimination of the veto with respect to peaceful settlement of disputes. The Senate Committee had not stated the various categories of decisions. It obviously could not do so within the limits of a one-page resolution. The Senate Resolution, however, did stress the fact that the agreement reached should be voluntary, presumably among the great powers first. For that reason, Mr. Wilcox thought that whatever position the Delegation finds desirable to achieve these ends over a period of years would be a reasonable approach in accordance with the intent of the Senate Resolution.

It was agreed that no decisions should be made until an answer was received from Senator Vandenberg.<sup>1</sup>

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<sup>1</sup> In Department's telegram, Gadel 353 of October 29, 1 p. m., the following message was conveyed from Senator Vandenberg to Mr. Dulles: "Entirely satisfied to leave this decision to your judgment. But keep the official record clear that the United States is prepared to support the full formula in the Senate [Vandenberg] Resolution". (501.AA/10-2648)

IO Files : US(P)/A/AC.24/23

*United States Delegation Working Papers*

[PARIS,] November 24, 1948.

## MEMORANDUM

*Veto*

Attached herewith is a draft resolution<sup>1</sup> agreed upon by China, France, the United States and the United Kingdom (the last subject to final check with the Foreign Office). This draft will be submitted as a joint resolution as soon as the problem of voting in the Security Council is reached in the *Ad Hoc* Political Committee.<sup>2</sup>

[Attachment]

## DRAFT RESOLUTION ON THE VETO

*The General Assembly*

*Having considered* the Report of its Interim Committee upon the Problem of Voting in the Security Council, and

*Exercising* the authority conferred upon it by Article 10 of the Charter to discuss any question within the scope of the Charter or relating to the functions of any organ of the United Nations and to make recommendations to the members of the United Nations and to the Security Council thereon,

1. *Recommends* to the members of the Security Council that, without prejudice to any other decisions which the Security Council may deem procedural the decisions set forth in the attached Annex\* be deemed procedural and that the members of the Security Council conduct their business accordingly.

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<sup>1</sup> The Department had been informed of the proposed draft resolution, and of elements in the negotiating situation as between the four powers, in telegrams Delga 808, November 18 and Delga 842, November 19, from Paris, neither printed (501.BB/11-1848 and 501.BB/11-1948 respectively).

<sup>2</sup> On November 15, 1948 the General Assembly established an *ad hoc* political committee to ease the pressure on the First Committee; and transferred to the new committee generally agenda items relating to constitutional and organizational matters, including the items concerning voting in the Security Council. At its first meeting on November 16 the *Ad Hoc* Political Committee fixed this matter as its third order of business, and consideration of the item began actually on November 29.

\*The Annex lists all decisions referred to in Conclusion 1, Part IV of the Interim Committee Report on the Problem of Voting in the Security Council (A/578) except the decision to request the International Court of Justice for an advisory opinion on a legal question. [Footnote in the source text; see editorial note, p. 265; see also GA (III/1), *Suppl. No. 10*, p. 16.]



2. *Recommends* to the permanent members of the Security Council that they seek agreement among themselves upon what possible decisions by the Security Council they might forbear to exercise their veto, when seven affirmative votes have already been cast in the Council, giving favorable consideration to the list of such decisions contained in Conclusion 2, Part IV of the Interim Committee's Report.

3. *Recommends* to the permanent members of the Security Council, in order to avoid impairment of the usefulness and prestige of the Security Council through excessive use of the veto.

(a) To consult together wherever feasible upon important decisions to be taken by the Security Council.

(b) To consult together wherever feasible before a vote is taken if their unanimity is essential to effective action by the Security Council.

(c) If there is not unanimity, to exercise the veto, only when they consider the question of vital importance, taking into account the interest of the United Nations as a whole, and to state upon what ground they consider this condition to be present.

4. *Recommends* to the Members of the United Nations that in agreements conferring functions on the Security Council such conditions of voting within this body be provided as would to the greatest extent feasible exclude the application of the rule of unanimity of the permanent members.

#### Annex

#### DECISIONS DEEMED PROCEDURAL

Decision to postpone consideration of or voting on a recommendation of a State for membership until the next occasion for the consideration of applications.

Submission to the General Assembly of any questions relating to the maintenance of international peace and security.

Request to the General Assembly that the General Assembly make a recommendation on a dispute or situation in respect of which the Security Council is exercising the functions assigned to it in the Charter.

Consent to modification by the Secretary General to the General Assembly or Members of the United Nations of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council.

Consent to notification by the Secretary General to the General Assembly or to Members of the United Nations of any matters relative to the maintenance of international peace and security with which the Security Council ceases to deal.

Request to the Secretary General for the convocation of a special session of the General Assembly.

Approval of credentials of representatives of members of the Security Council.

Approval of annual reports to the General Assembly.

Submission and approval of special reports to the General Assembly.

Organization of the Security Council in such manner as to enable it to function continuously.

Arrangement of the holding of periodic meetings.

Holding of meetings at places other than the seat of the United Nations.

Establishment of such subsidiary organs as the Security Council deems necessary for the performance of its functions.

Steps incidental to the establishment of a subsidiary organ: appointment of members, terms of reference, interpretation of terms of reference, reference of questions for study, approval of rules of procedure. However, the approval of the terms of reference of such subsidiary organs should require the unanimity of the permanent members if the subsidiary organ were given authority to take steps which, if taken by the Security Council, would be subject to the "veto", or if the conferring of such authority would constitute a non-procedural decision.

Adoption of Rules of Procedure.

Decisions to adopt rules of procedure and decisions in application of the provisional rules of procedure, not contained elsewhere in the list:

(1) Overruling of ruling of the President on a point of order (rule 30).

(2) Order of principal motions and draft resolutions (rule 32).

(3) To suspend the meeting; to adjourn the meeting; to adjourn the meeting to a certain day or hour; to postpone discussion of the question to a certain day or indefinitely (rule 33).

(4) Order in which amendments to motions or draft resolutions are to be voted upon (rule 36).

(5) Request to members of the Secretariat or to other persons for information or for other assistance (rule 39).

(6) Publication of documents in any language other than the official languages (rule 47).

(7) To hold a meeting in private (rule 48).

(8) To determine what records shall be kept of a private meeting (rule 51).

(9) To approve important corrections to the records (rule 52).

(10) To grant access to the records of private meetings to authorized representatives of other Members of the United Nations (rule 56).

(11) To determine which records and documents shall be made available to other Members of the United Nations, which shall be made public, and which shall remain confidential (rule 57).

Adoption of method of selecting the President.

Participation without vote of Members of the United Nations not members of the Security Council in the discussion of any question brought before the Security Council whenever the Security Council considers that the interests of those Members are specially affected.

Invitation to a Member of the United Nations which is not a member of the Security Council or to any State which is not a Member of the United Nations to participate without vote in the discussion relating to a dispute to which it is a party.

Enunciation of conditions for such participation of a State which is not a Member of the United Nations.

Decision whether a State not a Member of the United Nations has accepted the conditions deemed just by the Security Council for participation under Article 32.

Approval of credentials of representatives of States invited under Articles 31 and 32 of the Charter and rule 39 of the provisional rules of procedure.

Decision to remind Members of their obligations under the Charter.

Establishment of procedures for the hearing of disputes or situations.

Request for information on the progress or the results of resort to peaceful means of settlement.

Deletion of a question from the list of questions of which the Security Council is seized.

Decision to consider and discuss a dispute or a situation brought before the Security Council (adoption of the agenda).

Decision whether a State not a Member of the United Nations has accepted, for the purposes of the dispute which it desires to bring to the attention of the Security Council, the obligations of pacific settlement provided in the Charter.

Invitation to a Member of the United Nations not a member of the Security Council to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

Approval of rules of procedure and organization of the Military Staff Committee.

Request for assistance from the Economic and Social Council.

Decision to avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the trusteeship system relating to political, economic, social and educational matters in the strategic areas.

Decision to dispense, on grounds of security, with the assistance of the Trusteeship Council.



Request of the Security Council for the appointment of a joint conference for the purpose of choosing one name for each vacant seat in the International Court.

Fixation of a period within which those members of the Court who have already been elected shall proceed to fill the vacant seats by selection from among those candidates who have obtained votes either in the General Assembly or in the Security Council.

Fixation of the date of the election to fill vacancies in the International Court.

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*Editorial Note*

The *Ad Hoc* Political Committee began consideration of the items relating to voting in the Security Council on November 29 and continued this discussion on November 30, December 1, December 2 and December 4, with one interruption (United Nations, *Official Records of the General Assembly, Third Session, Part I, Ad Hoc Political Committee*, pages 189–257, 269–300). A statement of some length in support of the joint draft resolution was made by the United States delegate on the committee, Benjamin V. Cohen, on the first day of discussion (*ibid.*, pages 196 ff.). In the voting on December 4 the *Ad Hoc* Committee first rejected an Australian amendment to the joint draft resolution, then adopted the joint draft, and finally, rejected two other resolutions offered by Argentina (concerning the convocation of a general conference) and the Soviet Union (which had presented a resolution about voting couched in general terms) (*ibid.*, pages 295 ff.). For text of the report of the *Ad Hoc* Political Committee concerning voting in the Security Council, see United Nations, *Official Records of the General Assembly, Third Session, Part II, Plenary Meetings, Annexes*, pages 19 ff.

The General Assembly however did not consider the Committee report at Paris, this item being held over to the second part of the third session (which on December 6, 1948 the General Assembly decided to convoke at New York in April 1949). For discussion in the General Assembly on April 13 and April 14, 1949, prior to adoption of the report with its accompanying resolutions, see United Nations, *Official Records of the General Assembly, Third Session, Part II, Plenary Meetings*, pages 48 ff. For text of Resolution 267 (III), see United Nations, *Official Records of the General Assembly, Third Session, Part II, Resolutions*, page 7.

V. POLICY OF THE UNITED STATES REGARDING THE APPORTIONMENT OF EXPENSES OF THE REGULAR (ADMINISTRATIVE) BUDGET OF THE UNITED NATIONS AMONG MEMBERS OF THE ORGANIZATION<sup>1</sup>

IO Files : US/A/1141

*Memorandum of Telephone Conversation, by Mr. John C. Ross, Deputy to the United States Representative at the United Nations (Austin)*

[NEW YORK,] July 26, 1948.

Mr. Kyrou<sup>2</sup> telephoned to ask me what was behind the request made by the United States that the question of amendment of the Rule 149 of the Assembly's Rules be put on the agenda for this fall (A/582, 22 July).

After checking with Bill Hall in the Department, I spoke to Mr. Kyrou on July 23 and told him that as he knew, the United States had consistently held to the principle that no Member of the United Nations should contribute more than one-third of the budget of the Organization. Committee 5 had considered this matter last year and voted to postpone further consideration for a year. We wanted to make very sure that this item was reconsidered at the General Assembly this fall and we very much hoped that the principle of the maximum one-third contribution might at least be established. This does not, of course, necessarily mean that we might not be willing to continue for another year our somewhat larger contribution.

<sup>1</sup> Continued from *Foreign Relations*, 1947, vol. I, pp. 253-256.

<sup>2</sup> Alexis Kyrou, Permanent Representative of Greece at the United Nations. United Nations document A/582, July 21, 1948 read:

"The acting United States representative at the seat of the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to submit the following item for inclusion in the agenda of the third regular session of the General Assembly of the United Nations:

"Amendment of rule 149 of the rules of procedure of the General Assembly to provide for the recognition of the principle of a percentage ceiling in the scale of assessments to meet expenses of the United Nations."

(United Nations, *Official Records of the General Assembly, Third Session, Part I, Plenary Meetings, Annexes*, p. 4. Hereafter cited as GA (III/1), *Plenary, Annexes*.)

IO Files : US(P)/A/C.5/4

*United States Delegation<sup>1</sup> Working Paper*

CONFIDENTIAL

[PARIS,] September 23, 1948.

REACTION OF OTHER MEMBERS TO THE UNITED STATES POSITION ON THE SCALE OF FINANCIAL CONTRIBUTIONS

A circular airgram was sent by the Department to all United States Missions in the capitals of Members of the United Nations requesting

<sup>1</sup> The third regular session of the General Assembly was convoked at Paris on September 21. For documentation regarding the composition and organization of the U.S. delegation to this session, see pp. 1 ff.

that the Missions approach the respective foreign offices to ascertain reactions to, and to ask support for, the United States position on the United Nations Contributions Scale. The position was outlined, as in the Committee 5 Instruction Book (Tab 1.f, SD/A/C.5/105),<sup>2</sup> as follows:

- (1) Press for the acceptance of the principle of a percentage ceiling in the scale of contributions for the regular administrative budget;
- (2) Seek some reduction in the United States share of the 1949 budget;
- (3) Attempt to secure recognition of 33.33 percent as the appropriate ceiling in normal times.

Thirty-one replies were received up to the beginning of the General Assembly Session. The reply from the Embassy in Moscow expressed the judgment that it would be futile to approach the foreign office on this question.

Of the remaining responses:

Twelve reported positive reactions to the United States position and probable support in the General Assembly;

Argentina	Honduras
Bolivia	Iceland
Canada	Nicaragua
Costa Rica	Norway
El Salvador	Paraguay
Haiti	Venezuela

(It should be noted that, although a reply from Brussels has not been received, the Belgian representative on Committee 5 during the Second Session supported the United States position fully and even proposed that the ceiling should be fixed at twenty-five percent).

Seven reported negative reactions to the United States position and probable opposition in the General Assembly;

Australia	Poland
India	Sweden
Mexico	United Kingdom
New Zealand	

(A discussion between a Member of the Delegation with M. Parodi indicated that France may be expected to be in this negative category).

Seven reported non-committal reactions;

Burma	Peru
China	Syria
Ethiopia	Turkey
Netherlands	

<sup>2</sup> Not printed (IO Files).



Four reported favorable personal responses by foreign office officials, but no official reactions;

Brazil

Guatemala

Cuba

Iran

The attached Annex<sup>3</sup> reproduces relevant comments from the Missions.

ROBERT KULL

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<sup>3</sup> Not printed.

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IO Files: US(P)/A/M/(Chr)/4

*Minutes of the Fourth Meeting of the United States Delegation to the Third Regular Session of the General Assembly, Paris, Hotel d'Iéna, September 24, 1948*

SECRET

[Here follow list of persons (41) present and discussion of two prior items on the agenda.]

3. *Contributions question* (Mr. Hall)

Mr. Hall explained that the present scale of contributions had been established at the Second Part of the First Session. At that time the United States had accepted an allocation of 39.89% (a reduction over the earlier recommendation of the Committee on Contributions) on the understanding, however, that this allocation was on a temporary basis, as the result of war dislocation. At that time the United States had made clear its feeling that no member should pay more than 33⅓% of the total budget.

Mr. Webb, the United States Member on the Contributions Committee, had advised Mr. Hall that the Contributions Committee found it difficult to work toward the establishment of an actual ceiling principle. (The United States, for its part, had not agreed that its present 39.89% contribution was a ceiling.) Mr. Webb had confidentially advised him that the Contributions Committee had been considering whether to ask the Assembly to determine whether the present allocations, in fact, constituted ceilings.<sup>1</sup>

The recommendation of the staff was for the adoption of the 33⅓% ceiling principle. In addition, the staff recommendation favored seek-

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<sup>1</sup> Recommendations to the General Assembly for the allocation of assessments on Member States for the financing of the United Nations budget were made annually by the Committee on Contributions, a permanent standing committee of the General Assembly made up of ten members elected by the General Assembly on a personal basis for 3-year terms. For the relevant report of the Committee on Contributions (United Nations document A/628, September 7, 1948), see GA (III)/1), *Plenary, Annexes*, pp. 94 ff.

ing at least a token reduction in the United States contribution this year. (Actually if national income were to be the determining factor, the United States share would be about 56%.)

Mr. Hall noted that the Eastern European states had not furnished necessary data on national income figures, so that it was impossible for the Committee on Contributions to work out the scale of contributions on a strictly statistical basis.

The Secretary asked whether the Soviet Union had taken a strong stand on enforcing the present contribution on the United States. Mr. Hall replied that the U.S.S.R. had accepted a slight increase over the amount initially recommended by the Committee on Contributions at the time the original allocations were fixed. However, the Soviet member of the Contributions Committee had accused the United States of attempting to reduce its share of the budget at the expense of other countries.

Mr. Dulles asked if it was correct that the fair quota of the United States on a *per capita* basis was 56% in which case the United States would have a greater *per capita* income than over one-half the world. Mr. Hall said this was correct.

Mr. Thorp pointed out that it was important to remember that most contributions to the United Nations were paid in dollars and the United States was naturally in a better position to pay dollar exchange.

The Secretary asked if the Delegation favored the proposal for the acceptance of a ceiling principle. Mr. Dulles asked whether this meant the United States contribution would be reduced this year to 33 $\frac{1}{3}$ %. Mr. Hall replied that the actual allocation would be worked out by the Contributions Committee. Mr. Rusk noted that at the present time the Contributions Committee did not consider that the application of the ceiling principle was within its terms of reference. Mr. Hall stated that the 33 $\frac{1}{3}$ % would simply be a target for the Contributions Committee to work toward, as new members were admitted, and the assessments of other members were revised on the basis of new information. He felt that, if action were not taken on the ceiling principle now, the United States might expect to have a 39.89% contribution in perpetuity. He noted that the Congress was anxious to have the United States work toward some reduction, and that the Appropriations Committee in particular felt the present contributions system is unsound. Ambassador Austin indicated that, in defending the budget justifications before the Congress, he had promised that the United States would make an effort toward establishing a ceiling on contributions, though there was little hope of an actual immediate reduction in the United States assessment. He believed the Delegation had a commitment to Congress to seek such a reduction.

Mr. Gross emphasized that there was no assurance at the present time that the United States contribution would not be increased beyond 39.89%. He suggested that extreme caution should be used in presenting our proposal since there were two inconsistent objectives to be harmonized: capacity to pay and the sovereign equality of states. Obviously, if a state paid a disproportionate share it was possible that it might exercise disproportionate control of the organization. He noted that it was difficult to get an equitable *pro rata* of contributions without fuller statistical data. After emphasizing that he was not speaking for the Committee on Foreign Relations, Mr. Wilcox said that there was a strong feeling in the Senate that it was undemocratic for one state to contribute so much to the budget of the United Nations because it might tend to lead to domination of the organization or charges of alleged domination by such a state.

Mr. Rusk pointed out that it would be possible for the United States to submit published statistics of the U.S.S.R., upon which an increase in the Soviet contribution could legitimately be based, and because of which the United States contribution could be reduced. Such a move, however, might be unwise politically. He indicated that United States information shows that Soviet capacity to pay has increased, and noted that the U.S.S.R. has been telling its own citizens of increased national wealth. He thought there was no question that the United States could get the necessary votes to raise the Soviet contribution; nevertheless, he would recommend against such action because of the broad political problem involved.

Mr. Hall pointed out that there was a related problem, as it seemed highly probable that there would be an operational budget for the United Nations Guard and for the Palestine Commission or other political commissions which may be set up. It appeared from the positions already taken by certain of the smaller states that the Five Major Powers might be required to bear a major share of such an operational budget.

Mr. Sandifer pointed out the tendency of the specialized agencies to regard the United Nations scale of contributions as the standard for their own budgets. He had met that tendency head-on in the World Health Organization Assembly, in working out the World Health Organization contributions scheme, and there had been a complete blockade against any effort to allocate to the United States a quota smaller than that which it paid to the United Nations.

Mrs. Roosevelt thought the total figures of the United States contributions to international agencies would be of considerable importance, noting that the U.S.S.R. pays a much smaller percentage share. She inquired whether this point could not be brought out. Mr. Hall



said that the Department of State submitted a consolidated appropriation covering United States participation in international organizations. Only the contribution to the IRO had been treated separately. The total cost was approximately \$128,000,000, exclusive of the International Children's Emergency Fund, with the contribution to the IRO the largest single item. He noted that the U.S.S.R. belongs only to the WHO and to the United Nations, and in both cases pays approximately 6% of the budgets.

The Secretary asked for Delegation approval of the proposal for the establishment of a ceiling principle. It was agreed. He then asked whether the Delegation approved the proposal for 33⅓% ceiling for the United States contribution. This was also approved. Turning to the final recommendation that the United States should seek a reduction in its share of the 1949 budget, the Secretary asked whether that was advisable. Mr. Rusk said it seemed important to try for at least a token reduction.

Mr. Dulles felt that the United Nations had not adequately explored the possibility of accepting payment in currency other than dollars. He thought it would be useful if some states were permitted to pay in their own currency and thought that the United Nations could use such currency in connection with its own work. Mr. Rusk pointed out that there had already been a start made in this direction, that the Assembly last year had authorized the Secretary-General to accept a certain number of French francs, Swiss francs and Dutch guilders, but agreed that the possibilities had not been fully explored.

Mr. Hall said he had discussed this matter with the Treasury which took the view that the United States already had large credits abroad and which was, therefore, reluctant to accept others for liquidation before its own. The International Monetary Fund would grant short-term dollar credits. However, neither the Bank nor the Fund regarded long-term credit as commercially sound. Mr. Hall observed that the proposed United Nations Guard might be based in Europe, in which case the United Nations could use more European currency.

Mr. Gross stated that undoubtedly the United Kingdom would oppose the United States on this issue, and thought it was unfortunate. Mr. Hall explained that the British felt that they have been over-assessed as compared with the U.S.S.R. and the United States, this opinion stemming from the British Treasury view that the United Kingdom must conserve every dollar. Mr. Ross indicated that Canada also felt it had been over-assessed but had nevertheless indicated a willingness to help the United States a little in this situation. The Delegation approved the recommendation to work toward a reduction in the United States budget this year.

[Here follows discussion of other subjects.]

IO Files : US(P)/A/C.5/21

*United States Delegation Working Paper*

[PARIS,] October 14, 1948.

DRAFT RESOLUTION FOR SUBMISSION TO THE COMMITTEE 5 WORKING  
GROUP ON CONTRIBUTIONS <sup>1</sup>*The General Assembly**Recognizing*

a) that in normal times no one Member State should contribute more than one-third of the regular assessments of the Organization for any one year; and

b) that in normal times the per capita contribution of any Member should not exceed the per capita contribution of the Member which bears the highest assessment; and

c) that the Committee on Contributions needs more adequate statistical data:

*Accordingly:*

1. *Reaffirms* the terms of reference of the Committee on Contributions accepted by the General Assembly in its resolution of February 13, 1946;

2. *Calls upon* Member States to assist the Committee on Contributions by providing the statistics and other information essential to its work;

3. *Accepts* the principle of a ceiling to be fixed on the per centage rate of contributions of the Member State bearing the highest assessment;

4. *Instructs* the Committee on Contributions, until a more permanent scale is proposed for adoption, to recommend how additional contributions resulting from (a) admission of new members and (b) relative increases in the capacity of Members to pay can be used to remove existing maladjustments in the present scale or otherwise used to reduce the rates of contributions of present Members; and

5. *Decides that* when existing maladjustments in the present scale are removed and a more permanent scale is proposed the rate of contribution which shall be the ceiling for the highest assessment shall be fixed by the General Assembly.

<sup>1</sup> This U.S. proposal was submitted to a "working group" on contributions which had been set up by the Fifth Committee on September 30 on a motion submitted by Canada, Chile and the United States. Specifically the Working Group was asked to consider the revision of rule 149 of the rules of procedure of the General Assembly, so as to incorporate in the rule the ceiling principle. For the report of the Working Group on Contributions (United Nations document A/C.5/241, October 27, 1948), see United Nations, *Official Records of the General Assembly, Third Session, Part I, Fifth Committee, Annexes*, pp. S9 ff.

IO Files : US(P)/A/252

*United States Delegation Position Paper*

[PARIS,] November 17, 1948.

SCALE OF ASSESSMENTS FOR THE APPORTIONMENT OF THE EXPENSES OF  
THE UNITED NATIONS (A/702)<sup>1</sup>1. *United States Position*

The United States Delegation should support adoption of the two resolutions, which are proposed by Committee 5, without comment, if that is proposed by the President of the Assembly. If some Delegation should oppose the report, it will be necessary for the United States to speak. Such opposition is not anticipated inasmuch as the Report and the resolutions were adopted unanimously, with 5 abstentions.

If it is necessary to make a statement, its contents can be only determined in the light of the substance of the remarks at which the reply is directed. The attached statement, made by Ernest Gross in Committee 5,<sup>2</sup> summarizes the position of the United States Government, and may be paraphrased as necessary (Press Release #13, Sept. 30, 1948).

2. *History in Committee*<sup>3</sup>

The draft resolutions submitted to the Plenary are the product of a series of meetings held by a Committee 5 Working Party of 13, plus Mr. Martinez-Cabanas, Chairman of the Committee on Contributions. The Working Party considered the Report of the Committee on Contributions, which recommended continuation of the 1948 scale with minor adjustments in 1949, and the proposal of the United States Delegation that a ceiling of 33.33 percent should apply to contributions to the administrative budget in normal times.

<sup>1</sup> United Nations document A/702 was the report of the Fifth Committee on the scale of assessments for the apportionment of the expenses of the United Nations. For text of this report with its two accompanying resolutions, see GA (III/1), *Plenary, Annexes*, pp. 307 ff.

<sup>2</sup> For the statement by Ernest A. Gross, U.S. delegate in the Fifth Committee, see United Nations, *Official Records of the General Assembly, Third Session, Part I, Fifth Committee*, pp. 73-76.

At the conclusion of his statement Mr. Gross emphasized that  
". . . his Government was not asking for a ceiling of 33.33 per cent to be adopted for 1949 nor even for several years to come; it was merely suggesting that the General Assembly should adopt that ceiling as a directive for the Committee on Contributions. That ceiling would be operative as soon as economic conditions and the admission of new members made it possible. The General Assembly should make a decision on that point during the present session, as the Committee on Contributions, in its report, had expressed a desire for detailed instructions regarding its terms of reference in connexion with the ceiling to be fixed for contributions." (*ibid.*, p. 76)

<sup>3</sup> For the proceedings in the Fifth Committee on this matter, see *ibid.*, pp. 70 ff.



The final resolution proposed by Committee 5 is a compromise between the United States position that a one-third ceiling for normal times should be fixed at once and a majority view that a definite ceiling should not be fixed at this time. The compromise represents many hours of discussion in the Working Party and Committee 5, and gives substantial recognition to the United States position. It adopts the policy that a ceiling on contributions should apply and establishes a presumption in the preamble that the ceiling will be fixed in normal times at 33.33 percent.

The second resolution proposed by Committee 5 approves the 1949 scale as recommended by the Committee on Contributions. It is the same as the 1948 scale except that it adjusts the assessments for the United Kingdom and Sweden to take account of the addition of Burma to the list of contributors.

Thus, the proposed resolutions satisfy the most important objectives of the original instructions, as modified by the Delegation:

1. Establishment of a ceiling in principle (accomplished in full);
2. Fixing a normal ceiling at one-third (presumptive acceptance);
3. Nominal reduction of United States share in 1949 (satisfied to attain 1 and 2).

### *3. Possible Development in the Plenary Meeting*

The only likely opposition to these resolutions would be from the Delegations which abstained in Committee 5: Argentina, Egypt, New Zealand, Saudi Arabia, and Yugoslavia. The Soviet Union and other Eastern European States (except Yugoslavia) supported the compromise resolution after opposing it strongly in the Working Party.<sup>4</sup>

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<sup>4</sup> The report of the Fifth Committee on this matter was adopted by the General Assembly on November 18 with no discussion; for text of Resolution 238 (III), see GA (III/1), *Resolutions*, pp. 97-100.

UNITED STATES POLICY REGARDING CERTAIN QUESTIONS RELATED TO ARTICLE 73 OF THE CHARTER OF THE UNITED NATIONS (NON-SELF-GOVERNING TERRITORIES OUTSIDE THE UNITED NATIONS TRUSTEESHIP SYSTEM)<sup>1</sup>

*Editorial Note*

In the area of United Nations Affairs involving non-self-governing territories outside the trusteeship system itself, two questions of interest to the United States are documented here. One relates to the recurring problem of the status of South West Africa. The other concerns the question of information (regarding the non-self-governing territories) transmitted to the United Nations by the administering authorities under Article 73(e) of the Charter of the United Nations.

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<sup>1</sup> For previous documentation, see *Foreign Relations*, 1947, vol. I, pp. 279 ff.

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IO Files : US(P)/A/M/(Chr)/7

*Minutes of the Seventh Meeting of the United States Delegation to the Third Regular Session of the General Assembly,<sup>1</sup> Paris, Hotel d'Iéna, September 28, 1948, 9:15 a. m.*

SECRET

[Here follow list of persons (30) present <sup>2</sup> and consideration of prior items on the Delegation's agenda.]

3. *Question of Southwest Africa* (Mr. Gerig) <sup>3</sup>

Mr. Gerig explained that the question of the future status of Southwest Africa had been discussed at every session of the Assembly. It was essentially the question of annexation vs. trusteeship. He pointed out that the Assembly's decision on this matter may affect the continued membership of the Union of South Africa in the United Nations. He noted that Southwest Africa was the last of the former League mandates outside the United Nations.

There were some 40,000 Europeans in the territory who favored its incorporation in the Union of South Africa as a fifth province. In addition there was a native population of some 350,000. The territory

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<sup>1</sup> The third session of the General Assembly was convoked at Paris on September 21.

<sup>2</sup> For documentation regarding the composition and organization of the U.S. delegation to this session, see pp. 1 ff.

<sup>3</sup> O. Benjamin Gerig, Chief of the Division of Dependent Area Affairs, Department of State, and member of the Advisory Staff to the Delegation.

was strategically located and if it were incorporated into the Union, it would enclose several territories under the administration of a High Commissioner, such as Bechuanaland. He pointed out that this case was also related to the racial policies of the Union government and had been tied by the Indian Delegation to the question of the treatment of the Indians in South Africa.<sup>4</sup>

In the past the United States had worked for a moderate resolution, and despite pressure for radical action, satisfactory resolutions had been adopted. One of the main difficulties encountered was the fact that many states believed there was a positive obligation under the Charter of the United Nations for a state to submit a Trusteeship Agreement for a territory such as Southwest Africa. While the United States took the view that such action was desirable, it did not regard it as obligatory.

Mr. Gerig referred to a statement by the Smuts Government<sup>5</sup> in 1947 that it would continue to govern the territory in the spirit of the mandate, South Africa had also reported to the United Nations Administration but had refused to send a representative to discuss the report with the Trusteeship Council. The Union Government, however, had answered a series of written questions and its cooperation had been relatively good.

The question now was whether for the third time the Assembly should express its view that Southwest Africa should be placed under the Trusteeship System. It seemed clear that the Assembly should not for the third time urge the Union Government to submit a Trusteeship Agreement, which request would certainly be ignored. Mr. Gerig believed that there was some question whether the new Union Government<sup>6</sup> would be willing to continue the policy of reporting on the Administration of this territory. South Africa was very sensitive on

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<sup>4</sup>The continuing dispute at the United Nations between India and South Africa, concerning the alleged discrimination by the Union Government against the Indian minority in South Africa, was essentially a human rights question. Generally the United States had adopted the position that the best approach to the problem was bilateral, with direct negotiations between India and South Africa. Underlying this view was the opinion of the successive U.S. delegations involved, that probably the question of domestic jurisdiction was implicated here, as set forth in Article 2(7) of the Charter of the United Nations:

[Article 2] "7. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII."

The question of domestic jurisdiction in relation to matters of domestic government and administration with respect to specific cases in the early years of the United Nations is discussed briefly in Leland M. Goodrich and Edvard Hambro, *Charter of the United Nations, Commentary and Documents*, Boston, World Peace Foundation, 1949 (second and revised edition), pp. 110 ff.

<sup>5</sup>Jan Christiaan Smuts, South African statesman, and one of the founders of the Union of South Africa, was Prime Minister of the Union in 1947.

<sup>6</sup>This is a reference to the government of Daniel F. Malan which came into office in May 1948. Dr. Malan was both Prime Minister and Minister for External Affairs.



this matter, and certainly if a critical resolution were adopted by the Assembly, even this token cooperation would probably be brought to an end. Such a critical resolution would also be useful to the Nationalist Group in the Union who were urging withdrawal from the United Nations. Mr. Gerig incidentally noted that the Chief of the South African Delegation<sup>7</sup> was one of the original exponents of the annexation of Southwest Africa. Mr. Raynor<sup>8</sup> said that he doubted whether the new government would submit information on Southwest Africa.

The Secretary said he was aware that South Africa felt very strongly on this matter and he thought the United States should be very clear about its position. Since time was growing short, he suggested that further action be deferred and the recommendations be discussed as the first order of business at the next meeting of the Delegation.<sup>9</sup>

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<sup>7</sup> E. H. Louw, South African Minister of Mines and Economic Development.

<sup>8</sup> G. Hayden Raynor, Special Assistant to the Director of the Office of European Affairs (Hickerson), Department of State, member of the Advisory Staff of the Delegation, acted in a liaison capacity between the Office of European Affairs and the Office of United Nations Affairs in the Department.

<sup>9</sup> The question of South West Africa was discussed only briefly at the meeting on September 29, at which time Mr. Gerig presented a Department of State position paper (SD/A/C.4/49 or US(P)/A/C.4/1, dated September 8, 1948, IO Files) which recommended that "a. South West Africa should be placed under the trusteeship system; b. The General Assembly should not, however, reduce the value of its resolutions by urging the Union of South Africa for the third time to submit a trusteeship agreement for South West Africa; and c. The General Assembly should recommend that the Union Government continue to supply information on South West Africa to the United Nations." It was decided, however, that before any final decision were made a high-level U.S. officer should discuss the matter with representatives of the South African delegation.

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IO Files : US(P)/A/M(Chr)/11

*Minutes of the Eleventh Meeting of the United States Delegation,  
Paris, Hotel d'Iéna, October 4, 1948, 9:15 a. m.*

SECRET

[Here follow list of persons (28) present and discussion of two prior agenda items.]

### 3. *Question of Southwest Africa* (Mr. Gerig)

Mr. Gerig recalled that this matter had been previously discussed by the Delegations, and it had been agreed that discussions should be had with representatives of the Union of South Africa to see just what their intentions were with respect to the territory. Mr. Sayre and Mr. Dulles had held conversations with members of the Union Delegation in which it had been learned that the Union government would not submit a trusteeship agreement and would not continue to transmit general reports to the Trusteeship Council. South Africa's reasons for this policy were not too clear, although reference had been

made to the strategic position of the territory, and to the examination of the reports by the Trusteeship Council on which the U.S.S.R. was represented. The U.S.S.R. was alleged to have considerable influence on both the Indian and native populations in Southwest Africa and for this reason the Union government desired to cut off all relations with the United Nations. Mr. Gerig thought it would be very difficult for the United States to prevent the most drastic action on this subject this year.

In personal conversation with one of the South African representatives, it had been learned that two years ago Smuts had been urged by his advisors to submit a trusteeship agreement. The new government, of course, had an entirely different view, although the disadvantages of taking a line of unnecessary rudeness toward the United Nations had been brought to its attention. This South African representative had hinted that it might be appropriate for the United States to make an approach to the Union Prime Minister, asking for a change of policy. The matter had been discussed with Mr. Dulles, who felt it would commit the United States too deeply. For this reason, the best line of action seemed to be to persuade the Union Delegates to leave some loophole in their presentation to the Assembly of the problem of Southwest Africa. Then, after the debate was concluded, it might be possible to work out an acceptable compromise.

Ambassador Sayre said that this was a most delicate and difficult situation. While the United States could argue that the Union government had no legal obligations to submit a trusteeship agreement, it could not defend its refusal to submit general information reports, particularly in view of last year's undertaking to this effect. Moreover, Southwest Africa was a former League of Nations mandated territory and the U.N. might be said to have a continuing interest by reason of the territory's international status.

Mr. Sayre also pointed out that under the Charter, even nations with sovereign rights over non-self-governing territories were required to submit reports; it was under those circumstances, for example, that the United States submitted data on Puerto Rico, Alaska, and Hawaii. He thought that, if South Africa refused to submit information there would be a violent explosion in Committee 4. He agreed it was wise not to approach the Prime Minister on this matter but believed that the Union representatives should be persuaded not to take an out and out position on this matter at the outset of the debate.

Ambassador Austin asked whether the recommendations in the position paper were still valid. Ambassador Sayre indicated that they were. Mr. Gerig said it might be necessary to reconsider the recommendations in the light of the position taken by South Africa in the debate, but even in this case the United States would probably merely

wish to sharpen the position taken in the paper, to the effect that the Union government was legally required to submit reports on the territory.

Mrs. Roosevelt was not very optimistic about the South African position, recalling that in the discussion of the Declaration of Human Rights in Committee 3, the Union representative had made it clear that it believed a government had the right to discriminate in any way against any part of its population. She doubted that South Africa would be at all accommodating in this matter.

Ambassador Austin stated that the position paper was approved by the Delegation. As regarded the question of approaching the Prime Minister, the Delegation would oppose such a move. On the suggestion of Mr. Cohen, however, it was agreed that the United States should continue to make clear the strength of its own opinion on this subject.

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IO Files : US(P)/A/194

*United States Delegation Position Paper*

[PARIS,] October 28, 1948.

REPORT OF THE FOURTH COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

RESOLUTION II

1. *United States Position*

The United States should vote in favor of Resolution II which was recommended by the Special Committee on Information under Article 73(e) of the Charter and adopted by Committee 4 after Polish, Brazilian, and Soviet amendments had been defeated.

This resolution provides for the continuation of a Special Committee for 1949 with the same balanced membership and terms of reference as this year's committee, while leaving open the question of whether there will be any Special Committee after 1949.

It may be necessary for the United States Delegation to speak in support of this resolution in view of the large amount of support in Committee 4 for a permanent committee or for its establishment for a longer period than one year.

2. *History in Committee*

The present text of Resolution II, together with a fourth paragraph later deleted in Committee 4 as superfluous, was adopted by the Special Committee 11-1 (USSR)-3 (Belgium, Colombia, France) as a compromise, which the United States Delegation initiated, between certain administering members (United Kingdom, Belgium, France) who



wanted to eliminate the Special Committee this year, and certain non-administering members (including China and India) who wished it constituted on a permanent basis. With the drafting deletion noted above, Committee 4 approved the text recommended by the Special Committee by a vote of 38-7 (Slav States and Argentina) but only after the Polish and Brazilian amendments had been defeated by rather narrow margins.

The Polish amendment, which was originally submitted jointly by Cuba and Venezuela, withdrawn by them, and then adopted by the Polish Delegation, provided for the establishment of the Special Committee on a permanent basis. This amendment was lost by a tie vote (17-17 with 18 abstentions), 9 Latin American States voting for the Polish amendment and 5 abstaining.

The Brazilian amendment constituting the Special Committee for three years was lost by 11 votes to 19 with 21 abstentions, 8 of the votes for the amendment being cast by Latin American States.

The Soviet amendment to substitute for the present paragraph 2 a text which would invite the Special Committee to examine the information transmitted on the development of self-government, data supplied by the Specialized Agencies, and information transmitted to the Secretary-General by private persons, local groups or organizations and to prepare appropriate recommendations thereon for the General Assembly was defeated by 26 votes to 8 (Slav States, Colombia, Guatemala) with 17 abstentions.

### *3. Possible Developments in the Plenary Meeting*

It is quite possible that the Polish or some other satellite delegation may reintroduce the proposal for a permanent committee and that the USSR may reintroduce its amendment for the consideration of political information as an amendment to Resolution II. The United States should oppose such proposals.

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IO Files : US(P)/A/M(Chr)/24

*Minutes of the Twenty-fourth Meeting of the United States Delegation to the General Assembly, Paris, Hotel d'Iéna, October 29, 1948, 9:15 a. m.*

SECRET

[Here follows list of persons (35) present and discussion of another subject.]

### *2. Report of Committee 4 on Information From Non-Self-Governing Territories*

Mr. Gerig explained that Committee 4 had adopted five resolutions dealing with the report of the Special Committee on Information

Transmitted under Article 73(e) of the Charter. These resolutions were contained in document A/695 which would be considered by the Assembly in its next plenary session.<sup>1</sup> He referred the Delegation to the accompanying position papers on this matter.<sup>2</sup>

The first resolution dealt with the method of transmitting information under Article 73(e) and was intended to improve the existing procedures. Mr. Gerig noted in particular the provisions of Paragraph 3 of this resolution which authorized the Secretary General "to include in his summaries and analyses all relevant and comparable official statistical information". He explained that this would enable the Secretary General to make comparisons between, for example, health expenditures in other countries in the same area. He recommended that this resolution be supported, unless the USSR should propose amendments going beyond its present terms. He explained that the USSR would like to require the submission of political information, and in this connection noted that a Soviet proposal, which would have required such political information and would have permitted information to be submitted from private persons and local groups or organizations, had been defeated in the Committee.<sup>3</sup> He pointed out that the adoption of such a requirement would wipe out the distinction between a colony and a trust territory. The British and French regarded such a provision as absolutely unacceptable for that reason. As the resolution stood, however, it would require only a simple majority vote.

Mr. Jacobs inquired whether the USSR furnished any information on the territories which it had taken over from Japan, in particular the Kurile Islands and southern Sakhalin. Mr. Gerig said the Soviets had submitted no information, a fact which the British had pointed out. These territories, however, had been handed over to the USSR at Yalta, and the USSR would not admit any responsibility to treat them as non-self-governing territories. Mr. Cohen did not see how that followed. Mr. Dulles said the USSR contended these territories were fully self-governing. Mr. Gerig indicated that the USSR would say, if this point were raised, that they were part of its metropolitan domain. Mr. Cohen commented that the USSR always strongly op-

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<sup>1</sup>For report of the Fourth Committee on transmission of information from Non-Self-Governing Territories (United Nations document A/695), see United Nations, *Official Records of the General Assembly, Third Session, Part I, Plenary, Annexes*, p. 289. (Hereafter cited as GA (III/1), *Plenary, Annexes*.)

<sup>2</sup>There were four position papers dealing with the five resolutions, contained in documents US(P)/A/194-197, found in the IO Files. The paper dealing with Resolution II (document US(P)/A/194) is printed *infra*.

<sup>3</sup>This situation is briefly described in the Committee's report, GA (III/1), *Plenary, Annexes*, pp. 290-292. Also, the proceedings of the Fourth Committee as a whole are available in United Nations, *Official Records of the General Assembly, Third Session, Part I, Fourth Committee*.



posed the incorporation of territories by other states into the metropolitan area, and wondered if it was not exposed in this case and should be made to answer for its own contrary situation. There was nothing in the Yalta arrangement as to how the USSR should govern these territories, and he noted that he had seen no Soviet decrees giving them the status of republics. Mr. Gerig indicated there might be a possibility of making some proposals on this matter.

The Secretary asked for the Department's views on this matter. Mr. Gerig explained that it was not ready to put forward any specific proposal because there was some question as to whether we had not agreed that these territories were part of Russian territory handed back to the USSR. No final decision had been taken, however. Mr. Cargo stated that the research divisions of the Department had been requested to make a study as to whether the USSR and also India might not have territories which could be classed as non-self-governing. The opinion drawn from these studies was that neither country had such territories.

Mrs. Roosevelt expressed interest in the defeated Soviet proposal which would have permitted the transmission of information from individual groups. She thought the citizens of a country should have the right to petition, but noted that in the case of petitions received by the Human Rights Commission from groups within the USSR, when such petitions were turned over to the USSR, the Soviet Representative said they were totally lacking in validity because they came from individuals or small groups. She thought that point was worth remembering if the USSR made trouble on this resolution.

Mr. Gerig then turned to the second resolution. He said this was more important since it had to do with the setting up of a special committee. This committee, like the previous committee, would be composed of the eight Colonial Powers and eight other Members to balance the Colonial group. The resolution recommended the extension of the committee for an additional year. He pointed out that the British, French, and Belgian Delegations would like to discontinue the Special Committee because they felt its only function was to work out the procedure for the transmission of information. Mr. Gerig believed, however, that it was better to have a balanced commission to do the initial work than to throw this information into the 58-Member Fourth Committee. He noted that this recommendation for the continuance of the Committee was "without prejudice to the future." A proposal for a permanent committee had lost by a tie vote. If this motion were re-introduced a two-thirds majority should be required. Mr. Dulles asked whether the resolution in its present form required a two-thirds vote. Mr. Gerig said he thought the whole resolution should be subject to two-thirds rule and pointed out that last year the resolution setting up the Special Committee had required a two-thirds majority.



Mr. Gerig explained that Paragraph 2 of the resolution [Resolution II] set forth the terms of reference of the Committee. He noted that the Colonial Powers were very sensitive on the question of substantive recommendations. The United States, unlike the other Colonial Powers, however, did not object to substantive recommendations on such matters as health and labor conditions. He indicated that certain states, however, would attempt to extend the scope of the Committee's operation. In that case, the United States would have to resort to the domestic jurisdiction clause of the Charter. Mr. Gerig recommended that the United States support this resolution.

The Secretary stated that the recommendations as to the first resolution were adopted. The Delegation would consider the second resolution at a later date. Mr. Dulles indicated that he might not be present at the next meeting where this would be discussed and, therefore, wanted to state that he agreed with the recommendations on all five resolutions as set forth in the position papers.

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IO Files : US(P)/A/M(Chr)/25

*Minutes of the Twenty-fifth Meeting of the United States Delegation to the Third Regular Session of the General Assembly, Paris, Hotel d'Iéna, November 3, 1948, 9:15 a. m.*

SECRET

[Here follows list of persons (31) present.]

1. *Review of recommended positions to be taken in plenary sessions*  
(a) Information from Non-Self-Governing Territories: report of the Fourth Committee (Mr. Gerig)

Mr. Gerig recalled that five resolutions on this matter would be considered by the plenary session. The Delegation had approved the recommendation on the first of these resolutions at a previous meeting.

He explained that Resolution II provided for the continuation of the Special Committee, with the same terms of reference, for another year. The Soviet Union might propose that it be made permanent. Mr. Gerig recommended that the United States support the resolution as it stands, and oppose any attempt to make the Special Committee permanent. He pointed out that the colonial powers already feel this committee is likely to go too far and generally opposed it. As it stood, the resolution would require a two-thirds majority. Mr. Rusk noted that if no resolution obtained a two-thirds majority, the matter would be referred back to Committee 4. The recommended position was approved by the Delegation without further comment.

Mr. Gerig then took up Resolution III which provided for better working liaison between the Special Committee and the Economic and

Social Council by exchange of information. He recommended that the United States support the resolution. This position was approved by the Delegation without comment.

Resolution IV provided for collaboration with the specialized agencies. Mr. Gerig indicated it represented the general agreement of Committee 4. The position that the United States should vote for the resolution was accepted.

The Secretary asked Ambassador Austin to comment on the effect of the hearty endorsement by the United States of the principle of independence for the colonial peoples.<sup>1</sup> Ambassador Austin said he was not in a position to comment. Mr. Dulles states that this position was very satisfactory for the United States, but also difficult because we were torn between our desire to help the colonial peoples toward independence and, on the other hand, were influenced by our strategic inter-dependence with the colonial powers which derived their economic strength from their colonies. He noted the traditional Communist position toward colonialism. This year the situation had been less acute as regarded the usual attack on the colonial powers by the Soviet group and states such as India, and no particularly great problems had been raised as regards the United States position. Ambassador Sayre pointed out that there were two kinds of non-self-governing territories, trust territories and colonial dependencies. The United Nations was given extensive powers over the trust territories, which powers were lacking as regards colonial dependencies. The USSR had made a continuing effort to extend these powers to non-self-governing colonial dependencies. Last year the Soviet bloc had outvoted the United States at every turn, along this general line, but the plenary had reversed the action of the Committee. This year the United States had succeeded in getting its position across in the Committee. He believed the USSR had lost its influence and noted that China and India were following the lead of this country. Mr. Dulles thought the same issue might appear, however, in an acute form in the consideration of the Italian Colonies question.

[Here follows discussion of other subjects.]

Mr. Gross asked what significance should be attached to the change of position by India and China in Committee 4. Mr. Sayre thought Soviet hypocrisy had been shown up, and that these States were now convinced of the sincerity of the United States. Also, the Indian representation was of better quality. Our policy tended to hold the balance, and in general, the committee was going forward in a liberal direction. The Secretary said the Chinese were afraid to take any position which might cause the Soviet Union to take a more active part in Manchuria.

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<sup>1</sup> The United States had taken this position consistently at the United Nations, from the first meeting of the General Assembly at London in January-February 1946.

Mr. Gerig then turned to Resolution V. The main idea of this resolution was to inform the United Nations whenever the colonial powers stop giving information on particular territories and the reason why. He noted that two years ago 74 territories were being reported on; this year there were only 64. The reduction could be mostly accounted for by certain French territories, such as Tunis, Morocco, Vietnam and Cambodia, which had become associated states of the French union. The idea of the resolution was that states should inform the United Nations why they were not reporting on particular territories and what the new constitutional status of such territories was. He explained that, in voting for this resolution in Committee 4, Ambassador Sayre had stated that it would not alter the right of each state to determine the constitutional position and status of a territory under its jurisdiction. This would cover such cases as a United States decision to admit Alaska as a state, an action which we would not admit the United Nations had any right to challenge. Mr. Gerig noted that one group within the Committee would like to insist that the United Nations should determine whether a state is justified in not sending in the information. The recommendation that the United States should support this resolution was accepted without further comment.<sup>2</sup>

[Here follows discussion of other subjects.]

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<sup>2</sup>The committee report with its five draft resolutions was adopted by the General Assembly on November 3 after some debate in which the U.S. delegate did not speak; see United Nations, *Official Records of the General Assembly, Third Session, Part I, Plenary Meetings*, pp. 380 ff. (Hereafter cited as GA (III/1), *Plenary*.)

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IO Files : US(P)/A/281

*United States Delegation Position Paper*

RESTRICTED

[PARIS,] November 24, 1948.

REPORT OF THE FOURTH COMMITTEE ON THE QUESTION OF SOUTH WEST AFRICA

1. *United States Position*

The United States should vote in favor of the Resolution on South West Africa (attached).

Under the provisions of this Resolution the General Assembly would note with regret that the Assembly's previous recommendations concerning South West Africa have not been carried out, note the assurance given by South Africa that the proposed new arrangement for closer association of South West Africa with the Union does not mean incorporation or absorption of the territory, and recommend that the Union of South Africa continue to supply information on the territory for examination by the Trusteeship Council.



This Resolution is in conformity with the position paper on the question of South West Africa prepared by the Department and approved by the Delegation.

It should not be necessary for the United States to speak on this Resolution.

## 2. *History in Committee*<sup>1</sup>

Two basic resolutions were presented to the Fourth Committee on the question of South West Africa—a draft resolution submitted jointly by the Delegations of Denmark, Norway and Uruguay, and a second draft resolution submitted by India. The joint draft resolution was subsequently revised by the three Delegations to take into account certain suggestions made by the United States and Greece. Although there were many points of similarity between the two draft resolutions, the resolution presented by India was in stronger language than the joint resolution and contained a number of recommendations which the Union Government was clearly unwilling even to consider. The joint resolution of Denmark, Norway, and Uruguay was drafted in firm but moderate language. Its principal objective is to obtain from the Union Government further reports on South West Africa for examination by the Trusteeship Council.

The Indian draft resolution was withdrawn and certain portions of it were put forward as amendments to the joint draft resolution. These proposed amendments included a suggestion for the appointment by the Trusteeship Council of a visiting commission to South West Africa. This proposal was rejected by the Fourth Committee by 22 votes against, 21 in favor, and 11 abstentions. An amendment proposed by Cuba, by which the United Nations would consider petitions from inhabitants of South West Africa, was withdrawn without being put to the vote.

The joint draft resolution in the revised form, submitted by the three sponsors (A/C.4/163/Rev. 1), was taken by the Fourth Committee as the basic document on South West Africa. All proposed amendments to it were rejected and it was adopted by the Fourth Committee by a vote of 36 to 1. The United States voted in favor of the resolution.

## 3. *Possible Developments in Plenary Meeting*

It is possible, although not considered likely, that amendments will be offered in the Plenary meeting, either with a view to placing more vigorous language in the Resolution or with a view to weakening the

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<sup>1</sup> For the history of this question in the Fourth Committee and the relevant texts of proposed resolutions and amendments, see the report of the Fourth Committee on South West Africa in GA (III/1), *Plenary, Annexes*, pp. 405 ff.

Resolution. The Resolution presented by the Fourth Committee, however, represents a sound middle-ground position calculated to obtain from the Union Government further reports on South West Africa without constituting a retreat by the Assembly from its previous action on this matter. Therefore, the United States Delegation should take the position in the Plenary meeting that no further changes should be made in the Resolution and should vote against any amendments which may be presented.<sup>2</sup>

[Annex]

QUESTION OF SOUTH WEST AFRICA

WHEREAS in its resolutions 65 (I) of 14 December 1946 and 141 (II) of November 1, 1947 the General Assembly recommended that the Mandated Territory of South West Africa be placed under the International Trusteeship System and urged the Government of the Union of South Africa to propose a trusteeship agreement for the Territory,

WHEREAS the Government of the Union of South Africa in a letter dated July 23, 1947 informed the United Nations that it had decided not to proceed with the incorporation of South West Africa in the Union but to maintain the *status quo* and to continue to administer the Territory in the spirit of the existing Mandate that it had undertaken to submit reports on its administration for the information of the United Nations and that consideration was being given to granting representation to South West Africa in the Parliament of the Union,

WHEREAS the representative of the Union of South Africa stated on 9 November 1948 the intention of his Government to form a close association between South West Africa and the Union by granting "representation of South West Africa in the Union Parliament",

WHEREAS a report on the administration of South West Africa for the year 1946 was submitted by the Government of the Union of South Africa to the United Nations,

WHEREAS in its resolution of 1 November 1947 the General Assembly authorized the Trusteeship Council to examine the report on the administration of South West Africa for the year 1946 submitted by the Government of the Union of South Africa and to submit its observations thereon to the General Assembly,

WHEREAS on 4 August 1948 the Trusteeship Council, having examined the report on the administration of South West Africa for the year 1946 as well as the supplementary information furnished by the

<sup>2</sup> The report and recommendations of the Fourth Committee on South West Africa were adopted by the General Assembly on November 26 after some discussion (the United States delegate did not speak); for the proceedings, see GA (III/1), *Plenary*, pp. 577 ff.

Government of the Union of South Africa in response to a request by the Council embodied in its resolution 28(II) of 12 December 1947, adopted observations thereon which are contained in the Council's report to the General Assembly,

THE GENERAL ASSEMBLY, THEREFORE,

TAKES NOTE of the observations of the Trusteeship Council on South West Africa as contained in the Council's report, and requests the Secretary General to transmit those observations to the Government of the Union of South Africa;

MAINTAINS its recommendations of 14 December 1946 and 1 November 1947 that South West Africa be placed under the Trusteeship System, and notes with regret that those recommendations have not been carried out;

TAKES NOTE of the statement of the representative of the Union of South Africa that it is the intention of his Government to continue to administer South West Africa in the spirit of the Mandate;

TAKES NOTE of the assurance given by the representative of the Union of South Africa that the proposed new arrangement for closer association of South West Africa with the Union does not mean incorporation and will not mean absorption of the Territory by the Administering Authority;

RECOMMENDS, without prejudice to its resolutions of 14 December 1946 and 1 November 1947, that the Union of South Africa, until agreement is reached with the United Nations regarding the future of South West Africa, continue to supply annually information on its administration of the Territory;

REQUESTS the Trusteeship Council to continue to examine such information and to submit its observations thereon to the General Assembly.



# HUMAN RIGHTS QUESTIONS AT THE THIRD REGULAR SESSION OF THE GENERAL ASSEMBLY: THE UNITED STATES POSITION

IO Files <sup>1</sup>: US (P) / A / M / (Chr) / 4

*Minutes of the Fourth Meeting of the United States Delegation to the Third Regular Session of the General Assembly, Paris, Hotel d'Iéna, September 24, 1948* <sup>2</sup> 9:15 a. m.

SECRET

[Here follow list of persons (41) <sup>3</sup> present and discussion of prior items on the Delegation's agenda.]

5. *Draft International Declaration of Human Rights* (Mr. Sandifer) <sup>4</sup>

Mr. Sandifer noted that the general policy of the United States on this subject had been established in the Secretary's speech. Emphasis on human rights would play an important part in the United States approach in this Assembly in relation to the general problem of the maintenance of peace. <sup>5</sup>

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<sup>1</sup> Short title for the master files of the Reference and Documents Section of the Bureau of International Organization Affairs, Department of State.

<sup>2</sup> The General Assembly began its third regular session on September 21.

<sup>3</sup> For documentation regarding the composition and organization of the United States Delegation, see pp. 1 ff.

<sup>4</sup> Durward V. Sandifer, Deputy Director of the Office of United Nations Affairs in the Department of State, was one of the senior advisers to the United States Delegation.

<sup>5</sup> The significance of the Secretary of State's remarks on human rights was marked by the position of the statement in his general policy address to the General Assembly on September 23. At the outset, after a reference to Paris as the site of the meeting of the General Assembly, and to the preeminence of France as a centuries-long patroness of the arts and sciences, Secretary Marshall plunged into the subject, "It is entirely fitting," he then said, "that this General Assembly, meeting in France which fired the hearts of men with the Declaration of the Rights of Man in 1789, should consider in 1948 the approval of a new declaration of human rights for free men in a free world." Quickly enumerating the fundamental "rights and freedoms", Secretary Marshall then made his principal point:

"Systematic and deliberate denials of basic human rights lie at the root of most of our troubles and threaten the work of the United Nations. It is not only fundamentally wrong that millions of men and women live in daily terror of secret notice, subject to seizure, imprisonment, or forced labor without just cause and without fair trial, but these wrongs have repercussions in the community of nations. Governments which systematically disregard the rights of their own people are not likely to respect the rights of other nations and other people and are likely to seek their objectives by coercion and force in the international field."

The Secretary of State closed this first part of his address with this exhortation to the General Assembly: "Let this third regular session of the General Assembly approve by an overwhelming majority the Declaration of Human Rights as a standard of conduct for all; and let us, as Members of the United Nations, conscious of our own shortcomings and imperfections, join our effort in good faith to live up to this high standard." (Department of State *Bulletin*, October 3, 1948, p. 432)

Turning to the background of the Declaration on Human Rights, Mr. Sandifer explained that it had been prepared in the Human Rights Commission under the chairmanship of Mrs. Roosevelt. This Commission had been instructed to prepare a draft International Bill of Human Rights.<sup>6</sup> It had prepared this declaration for approval by the General Assembly as a standard of conduct involving human rights. The Commission was also working on a covenant on human rights, which would be limited to important civil and political rights. He explained that the covenant would not be considered until the April meeting of the Human Rights Commission.

The Declaration had been referred to the Economic and Social Council at its recent session. The Council, however, had not been able to consider it because of the Soviet filibuster on freedom of information, and it had been referred to the General Assembly by unanimous action of all the Council members except the Eastern European states. Ambassador Austin asked whether there was something special about the position of Belgium on this item, noting that M. Lebeau had protested against the inclusion of the item on the agenda. Mr. Sandifer and Mrs. Roosevelt knew no basis for this position. Ambassador Austin suggested that it was a matter which should be followed up to see precisely what the situation was.

Mr. Sandifer recommended that the Delegation support approval of the Declaration by the Assembly. The United States efforts should be in the direction of obtaining approval of the Declaration without amendments. If it were open to amendments there would be a long discussion and much time would be lost. Moreover, the Declaration might be emasculated and elaborated to such an extent that the United States would not find it acceptable. Mr. Sandifer noted, however, that Chairman Malik (Lebanon) had thought it would be difficult to avoid detailed discussion and the submission of numerous amendments. Mrs. Roosevelt informed the Delegation that the French had at least one amendment which they wished to submit and she assumed that the Soviets would also submit amendments. Mr. Sandifer stated that Chairman Malik was hoping to have a meeting of the Members of the Human Rights Commission, except for the Eastern European states, which meeting would discuss the methods of handling this subject in the Assembly. It would be desirable for this group to take a consolidated position in Committee III. Upon inquiry by the Secretary, Mrs. Roosevelt indicated her agreement with these tactics.

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<sup>6</sup>For accounts of earlier developments, see Department of State *Bulletin*, February 15, 1948, pp. 195 ff., and August 8, 1948, pp. 159 ff. The latter has texts of drafts of the Declaration prepared at the second and third sessions of the Commission on Human Rights.

Mr. Dulles asked whether any consideration had been given to the effect which the adoption of this Declaration would have—in particular, whether any new obligations, other than those already in the Charter, were involved. Mr. Gross replied that there were none, and that this was the view of both the Department of State and the Attorney General. Mr. Sandifer pointed out that this was a declaration of principle and was not legally binding.

Mr. Dulles read the provision of the Declaration which states “everyone has the right of access to public employment” and recalled that he had had to sign a declaration that he was not a Communist at the time of his appointment to the Delegation. Mr. Cohen said he agreed in general with the discussion but believed it important to guard against the thought that voting for the Declaration did not mean anything. While there was no legal obligation, it certainly committed us to favor and work toward the establishment of certain general principles. Mr. Dulles agreed. Mr. Sandifer pointed out that, while the Declaration did not bind us as a matter of law to apply the principles set forth automatically in the courts in the general way that a treaty would, it was nevertheless an important declaration, carrying with it the moral weight of the General Assembly. Mr. Sandifer further called attention to the limiting clause in Article 27 of the Declaration. He pointed out that this clause made the application of the Declaration subject to interpretation by each state. He assumed, accordingly, that Mr. Dulles’ question regarding the rights of all individuals to public employment would be answered in that way as regards Communists. Mr. Thorp observed that there were a number of things in the Declaration which did not represent established United States practice but did represent an atmosphere of intention, as had the American Declaration of Independence.

The Delegation thereupon approved the position paper.<sup>7</sup>

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<sup>7</sup> Not printed.

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IO Files: US(P)/A/M(Chr)/5

*Minutes of the Fifth Meeting of the United States Delegation, Paris, Hotel d'Iéna, September 25, 1948, 9:15 a. m.*

SECRET

[Here follow list of persons (32) present and discussion of a prior item.]

## *2. Continuation of Discussion on Declaration of Human Rights*

Mr. Dulles inquired whether the Delegation had completed consideration of the Declaration of Human Rights at its previous meeting.



Mr. Sandifer said he regarded the discussion as completed for present purposes. The United States position was simply to seek action on the Declaration on the basis of general debate without article by article discussion. Messrs. McNeil (UK) and Santa Cruz (Chile) had agreed to this procedure. Mrs. Roosevelt noted that the Belgian representative, while himself expressing willingness to forego further detailed debate, wanted to give other states, not members of the Human Rights Commission, an opportunity to express their views on the Declaration. She said that Santa Cruz was suddenly most amenable and cooperative on this matter and had volunteered to attempt to work out a common program with the other Latin American states. There was a general feeling that the Declaration should go through the Assembly as quickly as possible with only brief discussion.

Mr. Dulles believed it was important for the Delegation to make clear just what its view of the Declaration was, stating his own great sympathy with the Declaration and his feeling that the provisions of the Declaration dealing with human rights were very important. He pointed out that unexplained United States support of the Declaration, however, might lead to misunderstanding, if it were not made clear that the Declaration is a general statement of principle and aspiration and not a legal document, standing in relation to a future covenant of human rights, in the same way that the American Declaration of Independence was related to the Bill of Rights. He emphasized that it was important to make this very clear to avoid any unfortunate inferences. He referred again to the statement regarding the right of any person to public employment.

Mrs. Roosevelt emphasized that the Declaration was the result of a combination of compromises. The particular point on government employment was a French proposal. She believed that the opening statement of the United States Delegation should carefully point out the exact status of the Declaration and that an attempt should be made to get this statement published in the American press. As regarded the possibility of Communists in government positions, Mrs. Roosevelt commented on the fact that the Communist party had not been outlawed and emphasized that there was a security clause in the Declaration. Mr. Dulles explained that his only concern was to make the status of the Declaration very plain. He referred to the possibility of the Republican Party picking up an isolated clause such as that on public employment and interpreting it as a commitment by the United States Delegation agreeing to employment of Communists in such agencies as the Atomic Energy Commission.

Mr. Rusk noted that the Canadians had appointed a parliamentary commission to examine the Declaration on the basis that, if approved

by the General Assembly, it would in fact set up certain standards which would have to be followed by Canada. There were certain things in the Declaration which frankly worried the Canadians who were anxious to discuss them in detail. Mrs. Roosevelt pointed out that there was no way to prevent discussion but warned that if detailed discussion was begun, there was serious question as to whether the Declaration would be gotten through at all. Mr. Rusk said the Canadians would very much like to meet with Mrs. Roosevelt on this matter; he believed they had a legitimate serious concern since they expected to apply the Declaration in Canada.

2. [*sic*] *Chilean Proposal on Violation by the USSR of Fundamental Human Rights, Traditional Diplomatic Practices, and Other Principles of the Charter.* (Mr. Sandifer)

Mr. Sandifer explained that this item had been proposed by Chile as the result of the detention in the USSR of the Chilean Ambassador and his staff, after his refusal to leave the country without his son's Soviet wife, who was refused an exit visa. The actual complaint was in two parts: a general proposal charging the USSR with the violation of fundamental human rights in preventing the Soviet wives of foreign nationals from leaving the USSR, and a specific proposal regarding the violation by the USSR of fundamental human rights in refusing to allow a member of the family of the ex-Ambassador of Chile to the USSR to leave that country. Chile had broken diplomatic relations with the USSR as a result of this case, and the Chilean Ambassador to the USSR and the Soviet Ambassador to Chile had both been held in custody in the respective countries until September, 1948 when an exchange had been worked out.

Mr. Sandifer pointed out that the Soviet government had consistently refused visas to Soviet wives of foreign nationals and stated that there were about 1,000 United States citizens whose wives had been refused exit visas.<sup>1</sup>

The USSR had advised the Secretary-General of the United Nations that it regarded the Chilean proposal as illegal and unfounded and as representing interference in matters essentially within the domestic jurisdiction of states. Mr. Sandifer noted that Mr. Vyshinsky,<sup>2</sup> in the General Committee discussion of the Chilean item, had referred to the hostile unfriendly attitude toward Soviet citizens abroad, and had stated that it was better to keep such Soviet wives in the Soviet Union than to permit them to go abroad where they would

<sup>1</sup> For documentation regarding the problem of Soviet spouses of U.S. nationals, see vol. iv, pp. 788 ff.

<sup>2</sup> Andrei Y. Vyshinsky, Chairman of the Soviet Delegation to the General Assembly.



be subjected to unfriendly treatment. A Soviet law, moreover, now forbids the marriage of Soviet citizens to foreigners.

Mr. Sandifer observed that there had been general debate of this whole problem in both the Economic and Social Council and the Human Rights Commission, and a resolution had been adopted by the Economic and Social Council deploring legislation forbidding mixed marriages, or any legislation limiting the freedom to choose one's spouse or to leave one's country. The Draft Declaration of Human Rights in Article 11 (2) had provision on this matter: everyone has the right to leave freely any country, including his own. The Soviets had tried to amend this by the addition of a clause, making this provision subject to the application of national laws, which would have completely nullified the provision.

The staff recommendations were as follows: (1) the United States should support a resolution requesting the International Court of Justice to give an advisory opinion as to whether the refusal by the USSR to permit the Soviet daughter-in-law of the former Ambassador of Chile to leave that country is or is not in conformity with international law. Mr. Sandifer indicated that this was a proper question for an advisory opinion, indicating that in general, under established principles of international law, with some variations, the family of an Ambassador shares his privileges and immunities. (2) As to the general problem of the detention of the Soviet wives of citizens of various countries, the United States should present to the Assembly its own experience, pointing out the undesirability of separating families, the inhuman character of such treatment of Soviet wives of foreign nationals, but indicating that it is recognized that there is no legal obligation on the part of the Soviet Union to permit these persons to leave.

Mrs. Roosevelt observed that many of the persons involved were married to British and American soldiers before the adoption of the law prohibiting marriage to foreigners. She believed this was an added argument to be made in the case of a number of Soviet wives. She noted that Mrs. Churchill, acting for the Red Cross, had succeeded in obtaining exit visas for certain wives.

Ambassador Austin asked whether traditional diplomatic practices, the basis of Chile's case, actually made a rule of law. Mr. Sandifer replied that the International Court would have before it the question whether, as a matter of practice, a rule of international law has developed which included the family of the son of the Ambassador in the privileges and immunities enjoyed by the Ambassador. Mr. Gross pointed out that there were well established rules of international law, as to which there was no dispute, regarding the status of the retinue of a diplomatic envoy. The question of the status of members of their



families was still an open one. He commented that it was unfortunate that this item had been referred to Committee 6 since it meant that it would be discussed by lawyers who might miss the broad questions of human rights which were involved.

Mr. Thorp commented that the USSR has had a difficult time putting forward any logical arguments on this matter. For example, it would argue that any action in connection with Soviet wives would infringe upon domestic jurisdiction, but at the same time would urge action calling for woman suffrage in all states, certainly a purely domestic matter. He thought this agenda item afforded the United States a beautiful propaganda opportunity. Mrs. Roosevelt said her private conversations with the Soviets had reflected this same Soviet logical difficulty. A Ukrainian delegate, for example, had told her that there were not enough women affected for this to be a problem deserving United Nations consideration, and later had fallen back on the argument that none of the women in question were Ukrainian. Agreeing that this was a good propaganda case, she went on to recount that Bogomolov<sup>3</sup> had indicated to her the Soviet position grew out of the situation of certain Soviet women who had married French prisoners and had then returned to France with their husbands. Those women now wished to return to the USSR but under French law were not permitted to take their children with them and so were forced to stay in France.

The Secretary noted that the recommendations in the position paper<sup>4</sup> stated that the United States should "take the initiative". He wondered whether this meant the United States should push the case propaganda-wise. Mr. Sandifer indicated that it simply meant we would press this case ourselves in the Committee.

The position paper was approved without further discussion.  
[Here follows discussion of other subjects.]

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<sup>3</sup> Alexandre Bogomolov, Soviet Ambassador to France and at this time also one of the Representatives on the Soviet Delegation to the General Assembly.

<sup>4</sup> Not printed.

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*Minutes of the Ninth Meeting of the United States Delegation, Paris,  
Hotel d'Iéna, September 30, 1948*

SECRET

[Here follow list of persons (32) present and discussion of prior agenda items.]

### 3. *Genocide*. (Mr. Gross)

Mr. Gross explained that this was the first item to be considered by Committee 6. Reviewing the history of the action taken by the United

Nations on genocide, Mr. Gross referred to the fact that the Assembly in 1946 had declared genocide to be a crime under international law, and had gone on record in favor of a declaration on this subject. Subsequently, an *ad hoc* committee of ECOSOC had drafted the actual convention<sup>1</sup> which was before the Assembly for decision. He noted that, while the United States favored international enforcement of the convention, the U.S.S.R. had consistently taken the line that enforcement should be by national courts alone. In addition, the United Kingdom opposed the United States position, and favored the reference of the convention for detailed study to the International Law Commission, which could, in particular, perform more work on the definition of genocide. This would, of course, delay adoption of a convention which suited the British, since they were actually opposed to any convention. So far as the U.S.S.R. was concerned, while it had attempted to make propaganda out of the convention, in the last analysis, because of its position on national enforcement, Mr. Gross thought it would not adhere to a convention acceptable to the United States.

He recommended that the United States support the convention, which he noted was favored by many civic and religious organizations in the United States. Mr. Gross presented the following recommendations to the Delegation: (1) the United States should support in general the text of the convention; (2) the Delegation should endeavor to add to Article 2 "economic" and "social" groups, although the position here would be flexible in terms of the position taken by other states; and (3) if a number of states strongly opposed the inclusion of "political" groups in the convention, the Delegation should reconsider this matter. Mr. Gross explained that it had been felt that it was not appropriate to press for the inclusion of "economic" and "social" groups at the price of losing support for the convention. He noted also that some of the Latin American states and the Soviet bloc did not like the reference to "political" groups, which the United States thought very important. He did not wish any final decision to be taken on this matter until the positions of other states had been disclosed by debate in Committee 6. There were also likely to be proposals to include "religious" or "cultural" groups in the convention. He would regard this as a dangerous extension, particularly because it would not seem desirable to apply the convention to individuals. It should be strictly limited to actions against individuals.

Mr. Dulles thought it was important to try to add provisions for "economic" and "social" groups to the convention. After all, the idea

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<sup>1</sup> For text of the *ad hoc* committee draft (United Nations document E/794), see United Nations, *Official Records of the Economic and Social Council, Third Year, Seventh Session, Supplement No. 6*.

behind the convention was that people should not be killed except for malfeasance. He thought persecution for economic and social views was a great danger, and if it were not dealt with in the convention, the United Nations was almost, by silence, implicitly approving attacks on such groups. Mrs. Roosevelt agreed that, while it was probably desirable to include economic and social groups, their inclusion was at the same time an argument for the inclusion of cultural genocide, to which the United States was opposed. Mr. Dulles, however, did not think it was necessarily desirable to perpetuate foreign language groups, for example, within another country, referring to his experience in the Italian Peace Treaty negotiations. Mrs. Roosevelt said she had meant that those who wished to continue the use of their own language and follow their own customs should be permitted to do so. She noted that some States forbade this sort of thing; in such a situation that the concept of cultural genocide would be helpful.

Mr. Thorp observed that the real question was whether the convention should be limited to the right of the minority to survive, or whether it should also describe their rights and privileges. He thought these latter principles could be developed elsewhere. Mr. Jessup thought it might be undesirable to oppose Article 3 in terms of the general American position on the protection of minority rights. It should be made clear that our opposition to this article did not indicate any lack of support for the rights of minorities. Mr. Gross thought that, in discussion, it would be important to emphasize the relationship of the convention on genocide to the Declaration on Human Rights. In his opinion, it was better to preserve the integrity of this convention to the issue of life and death. The Secretary pointed out that if the term "cultural" were used, it would lead to endless debates on its definition.

The Secretary then asked for the Delegation's views on the recommendations, and the recommendations were accepted; except that, on the recommendation of Mr. Gross, the Delegation decided that it would be appropriate not to include social groups. It would, however, favor the inclusion of economic groups.

[Here follows discussion of another subject.]



IO Files : US (P) / A / 343

*United States Delegation Position Paper*

[PARIS,] December 6, 1948.

REPORT OF THE SIXTH COMMITTEE ON THE DRAFT CONVENTION ON  
GENOCIDE <sup>1</sup>1. *United States Position*

The United States should vote in favor of the three resolutions.<sup>2</sup> The first contains the text of the draft convention on genocide; the second invites the International Law Commission to study the desirability of establishing an international penal tribunal; and the third recommends that parties to the convention should take such measures as are necessary and feasible to extend it to dependent territories as soon as possible.

It will be necessary for the United States to make a general statement on this subject.

2. *History in Committee* <sup>3</sup>

The Committee examined, article by article, the text of the draft Convention prepared by the *Ad Hoc* Committee on Genocide. It examined also the numerous amendments proposed by various delegations and drew up the text of a draft resolution, by which the Assembly approved the Convention, the text of which is annexed to the resolution. This resolution was adopted by a vote of 30 to 0 with 8 abstentions (Slav States, United Kingdom, Union of South Africa). The most important developments in the Committee were:

(1) *Political Groups*: When the Committee dealt for the first time with the question whether political groups should be included in the groups to be protected by the Convention, as proposed by the *Ad Hoc* Committee, or whether these groups should be excluded from the Convention, the United States led the fight in favor of retaining them. Proposals to exclude political groups were rejected by the Committee

<sup>1</sup> For text of the report of the Sixth Committee, see United Nations, *Official Records of the General Assembly, Third Session, Part I, Plenary Meetings, Annexes*, pp. 494 ff.; hereafter cited as GA (III/1), *Plenary, Annexes*. For text of the draft convention on genocide approved by the Sixth Committee for recommendation to the General Assembly, see *ibid.*, pp. 501 ff.

<sup>2</sup> For texts of the resolutions, see *ibid.*, pp. 500 ff.

<sup>3</sup> Prolonged deliberations occupying much of the time of the Sixth Committee from September 30 to December 2 was the setting for Committee consideration of the draft genocide convention; for the proceedings, see United Nations, *Official Records of the General Assembly, Third Session, Part I, Sixth Committee*; hereafter cited as GA (III/1), *Sixth Committee*. In this phase the United States early took up the position that the Sixth Committee should prepare a final text on genocide immediately, for submission to the General Assembly, rather than refer the drafting problem to a subcommittee or to the International Law Commission.

by a vote of twenty-nine to twelve with nine abstentions. Subsequently, when it appeared that some states might refrain from ratifying the Convention because of the retention of these groups therein, the United States delegate stated that he would support the proposal for deletion of political groups in the hope that there would be a maximum number of ratifications, and in the further hope that at a future date the Convention might be amended to include them. By a two-thirds majority vote of twenty-six to four with nine abstentions, the Committee decided to reconsider this question. Following this, the Committee by a second vote of twenty-two to six with twelve abstentions, decided to exclude political groups from the Convention.

(2) *Cultural Genocide*: The provision in the *Ad Hoc* text relating to so-called cultural genocide was deleted by a vote of twenty-five to sixteen (Slav States, China, Ecuador, Egypt, Ethiopia, Lebanon, Mexico, Pakistan, Philippines, Saudi Arabia, Syria) with four abstentions (Afghanistan, Argentina, Cuba, Venezuela). It was pointed out by several representatives, including the delegate of the United States, that the action envisaged by this provision was within the sphere of human rights.

(3) *International Penal Tribunal*: Article VII of the Convention, as drafted by the *Ad Hoc* Committee, provided that persons charged with genocide should be tried by a court of the state in the territory of which the act was committed "or by a competent international tribunal". The words "or by a competent international tribunal" were at first eliminated by a vote of twenty-three to nineteen with three abstentions. By a vote of twenty-seven (U.S.) to five (Slav States) with six abstentions, the Committee adopted a draft resolution referring to the International Law Commission the study of the question of the desirability of establishing such a tribunal for trial of genocide or other crimes. The United States led the fight to restore the provision regarding an international judicial organ and the Committee decided by a two-thirds majority of thirty-three to nine, with six abstentions, to reconsider this question. It then adopted, by a vote of twenty-nine to nine, with five abstentions, the substance of a United States amendment by which the following words were added at the end of Article VI: "or by such international penal tribunal as may have jurisdiction with respect to such contracting Parties as shall have accepted the jurisdiction of such tribunal." This provision had been submitted as a joint US-Belgian-French amendment.

(4) *Preparatory Acts and Propaganda*: The Soviet delegation had proposed that the Convention should also provide for punishment of the following acts: "The preparatory acts for committing genocide in the form of studies and research for the purpose of developing the

technique of genocide: setting up of installations, manufacturing, obtaining, processing or supplying of articles or substances with the knowledge that they are intended for genocide; issuing instructions or orders and distributing tasks with a view to committing genocide;"

"All forms of public propaganda (press, radio, cinema, etc. (aimed at inciting racial, national or religious enmities or hatreds or at provoking the commission of acts of genocide."

The Committee voted first on the principle whether the Convention should contain a clause dealing with preparatory acts and decided against it by a vote of twenty-nine (U.S.) to eleven with five abstentions. The Soviet text regarding such acts was then rejected by a vote of thirty (U.S.) to eight, with five abstentions.

The Committee voted in parts on the Soviet proposal regarding propaganda: First, the addition to the article of the *Ad Hoc* text of the clause "All forms of public propaganda (press, radio, cinema, etc.) aimed at inciting racial, national or religious enmities or hatreds" was rejected by a vote of twenty-eight (U.S.) to eleven with four abstentions. The addition of the clause regarding propaganda aimed "at provoking the commission of the acts of genocide" was then rejected by a vote of thirty (U.S.) to eight with six abstentions.

(5) *Dependent Territories*: In addition to the resolution containing the text of the draft convention on genocide and the resolution inviting the International Law Commission to study the question of the desirability of establishing an international penal tribunal, the Committee, by a vote of twenty-nine to none with seven abstentions (Slav states), adopted another resolution regarding the application of the genocide convention to dependent territories. In order to avoid duplication, certain other developments in the Committee are discussed in Section 3 below.

### 3. *Possible Developments in the Plenary Meeting*

The United States should vote against all the proposals for reconsideration mentioned below.

#### A. Preamble:

1. The French delegation had proposed an amendment to the preamble which would have referred to genocide as a "crime against humanity". It had also proposed the inclusion of a provision reading as follows: "Having taken note of the legal precedent established by the judgment of the International Military Tribunal at Nürnberg, of 30 September-1 October, 1946". It is very unlikely that the French delegation would reintroduce such proposals. A vote on this proposal was avoided in the Committee by the adoption of a preamble, the text of which had been submitted by Venezuela. This text was adopted by the Committee by a vote of thirty-eight (U.S.) to nine with five abstentions.



2. The Soviet delegation has reintroduced its proposal to make the following addition to the preamble: after the words "has inflicted great losses on humanity" put a comma, and add the following "and recent events have shown that the crime of genocide is organically bound up with fascism-naziism and other similar race 'theories' which propagate racial and national hatred, the domination of the so-called 'higher' races and the extermination of so-called 'lower' races." This Soviet proposal was rejected by the Committee by a vote of thirty-seven to seven (Slav states, France), with one abstention (Yemen). The Venezuelan text of the preamble was then adopted by a vote of thirty-eight to nine, with five abstentions.

B. Cultural Genocide:

The Soviet delegation has proposed that there should be added to the draft Convention submitted by the Legal Committee a new article which is identical with the provision in the text proposed by the *Ad Hoc* Committee. As stated above, this text was deleted by the Legal Committee by a vote of twenty-five to sixteen with four abstentions. Several representatives, including the delegate of the United States, pointed out that the action envisaged by this provision was within the sphere of human rights.

C. International Penal Tribunal:

The Soviet delegation has reintroduced its proposal to delete from the Convention (Article VI) the provision regarding trial by an international tribunal. The history of this provision in the Sixth Committee is given above in Section 2.

D. Disbanding of Organizations:

The Soviet delegation has reintroduced its proposal for the inclusion in the Convention of a new article to read as follows: "The high contracting parties undertake to disband and to prohibit in the future the existence of organizations aimed at the incitement of racial, national and religious hatred and at provoking the commission of crimes of genocide". This text is practically identical with a Soviet text which the Committee rejected by a vote of twenty-five (U.S.) to seven, with six abstentions.

E. Dependent Territories:

The Soviet Delegation has proposed that Article XII be amended to read as follows: "The application of the present Convention shall extend equally to the territory of any Contracting Party and to all territories in regard to which such a State performs the functions of the governing and administering authority (including Trust and other Non-Self-Governing Territories)".

The article which is in the text proposed by the Sixth Committee provides that the application of the Convention might, by a notification to the Secretary-General, be extended to all or any of the terri-

tories for the conduct of whose foreign relations the contracting party in question is responsible. This provision had been proposed by the UK and was adopted by the Committee by eighteen votes to nine, with fourteen abstentions after the Committee had rejected by nineteen votes to ten, with fourteen abstentions, a Ukrainian provision identical to the one which the Soviet Delegation has now proposed for adoption in the Plenary Session. In this connection, it should also be borne in mind that the Sixth Committee has submitted for approval by the Assembly a draft resolution presented by the representative of Iran (Resolution C), recommending that members of the United Nations administering dependent territories take such measures as are necessary and feasible to enable the provisions of the Convention to be extended to those territories as soon as possible.

#### F. Universal Repression:

It is unlikely that the Iranian delegation would reintroduce its proposal (Document A/C.6/218) to add to Article VII a new paragraph reading as follows: "They may also be tried by tribunals other than those of the states in the territories of which the act was committed, if they have been arrested by the authorities of such states, and provided no request has been made for their extradition." The Committee rejected the principle of universal repression involved in the provision just quoted by a vote of twenty-nine (U.S.) to six with ten abstentions.<sup>4</sup>

<sup>4</sup> The General Assembly considered and accepted the report of the Sixth Committee, with its accompanying draft convention on genocide, in two meetings on December 9 and after considerable discussion; see United Nations, *Official Records of the General Assembly, Third Session, Part I, Plenary Meetings*, pp. 810 ff.; hereafter cited as GA (III/1), *Plenary*.

For remarks to the General Assembly in support of the draft convention by Ernest A. Gross, Legal Adviser of the Department of State and at this time also Representative on the U.S. Delegation to the General Assembly, see *ibid.*, pp. 820-821. Mr. Gross, while paying tribute to the original sponsors of the idea of a genocide convention in 1946, Cuba, Panama and India, described the convention as "a milestone in the progress of international law" (*ibid.*, p. 821).

For text of Resolution 260 (III), embodying the genocide convention, see United Nations, *Official Records of the General Assembly, Third Session, Part I, Resolutions*, pp. 174 ff.; hereinafter cited as GA (III/1), *Resolutions*.

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IO Files: US(P)/A/351

### *United States Delegation Position Paper*

[PARIS,] December 8, 1948.

#### DRAFT INTERNATIONAL DECLARATION OF HUMAN RIGHTS: ITEM PROPOSED BY THE ECONOMIC AND SOCIAL COUNCIL

##### 1. *United States Position*

Three documents will be before the General Assembly for approval under this item:

##### a. Universal Declaration of Human Rights;

b. Resolution proposed by France on the dissemination of the Declaration; and

c. Resolution proposed by New Zealand on continuation of the work of the Human Rights Commission on the Covenant and on implementation.

The United States should vote for the approval of the Declaration and of the two resolutions.<sup>1</sup> A short statement should be made in support, with particular reference to the Declaration.

## 2. *History in Committee*<sup>2</sup>

### a. *Universal Declaration of Human Rights*

After four days of general debate and consideration of the procedure to be followed, Committee 3 on October 6, 1948 began the consideration of the draft Declaration of Human Rights prepared by the Human Rights Commission, article by article. It rejected a proposal that the draft be referred to a subcommittee for coordination of amendments.

On Tuesday, November 30, after completing a first reading of all the articles of the Declaration, the Committee established a subcommittee of eleven members "to examine the totality of the Declaration of Human Rights, i.e. the 29 articles and the Preamble, adopted by the Third Committee, solely from the standpoint of arrangement, consistency and uniformity and to submit proposals thereon to the Third Committee." The Report of the Subcommittee was considered on December 4 and December 6, and the text of the Declaration finally approved by the Committee on December 6 by a vote of 29 to 0 with 7 abstentions. In addition to the Eastern European group, Canada abstained.

### b. *French Resolution on Dissemination*

This resolution (A/C.3/381) was introduced by France on November 30 and passed with minor debate by the Committee on December 6 after completion of action on the Declaration of Human Rights.

### c. *New Zealand Resolution on Continuation of Work of Human Rights Commission*

The New Zealand Delegation introduced this resolution (A/C.3/405) on December 6. It was adopted on the same day after completion of

<sup>1</sup> In the report of the Third Committee on human rights the General Assembly had before it a document that consisted actually of five parts rather than three as described here: a draft declaration on human rights and four ancillary resolutions pertaining to the right of petition, the fate of minorities, publicity to be given the declaration, and subsequent steps concerning the drafting of a covenant on human rights and measures of implementation. For text of the Committee's report with accompanying draft resolutions, see GA (III/1), *Plenary, Annexes*, pp. 535 ff.

<sup>2</sup> The deliberations relating to human rights took up the bulk of the time of the Third Committee at the Paris session. For proceedings of the committee, see United Nations, *Official Records of the General Assembly, Third Session, Part I, Third Committee*.



the work on the Declaration, with the deletion of paragraphs 2 and 3 of the preambular statements reading as follows:

"CONSIDERING that the approval of the Universal Declaration of Human Rights leaves this plan of work uncompleted;

"RECOGNIZES that fulfilment of the Charter requirement that the United Nations promote universal respect for and observance of human rights and fundamental freedoms necessitates the early completion of a Covenant on Human Rights and Measures of Implementation."

### 3. *Possible Developments in the Plenary Meeting*

There is a possibility that some amendments to the Declaration may be moved in the Plenary session. There has been no specific indication that the Soviet Delegation would introduce amendments. It did not contest vigorously the decisions taken in the final reading of the text of the Declaration in Committee. However, in view of the number of Soviet amendments rejected by the Committee, it is possible that an effort may be made to obtain favorable action in the Plenary session on some of them. So far as can be anticipated, all such amendments should be opposed by the United States Delegation.

The British Delegation has indicated that it would move for the deletion of Article 3 of the Declaration on the application of the rights set forth in the Declaration to the inhabitants of trust and non-self-governing territories. The United States Delegation should vote for the deletion of this Article, if such move is made, but should not speak on the subject.<sup>3</sup>

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<sup>3</sup> For developments in the plenary, see GA (III/1), *Plenary*, pp. 852 ff. Debate began on December 9 and continued throughout December 10. Mrs. Franklin D. Roosevelt, Representative on the United States Delegation to the General Assembly and delegate of the United States in the Third Committee (she was also chairman of the Third Committee), spoke early in the deliberations; for summary of her remarks, see GA (III)/1, *Plenary*, pp. 860-863; see also Department of State *Bulletin*, December 19, 1948, pp. 751-752. Mrs. Roosevelt, hailing the declaration as "a great event both in the life of the United Nations and in the life of mankind", stressed the United States view as to the intrinsic importance of the document:

"In giving our approval to the declaration today, it is of primary importance that we keep clearly in mind the basic character of the document. It is not a treaty; it is not an international agreement. It is not and does not purport to be a statement of law or of legal obligation. It is a declaration of basic principles of human rights and freedoms, to be stamped with the approval of the General Assembly by formal vote of its members, and to serve as a common standard of achievement for all peoples of all nations." (*ibid.*, p. 751)

After the Universal Declaration of Human Rights was adopted by the General Assembly by 48 votes, with 8 abstentions, the President of the General Assembly, Mr. H. V. Evatt, paid special tribute to the United States representative (Mrs. Roosevelt), who had played "a leading role" in the work of bringing into being a human rights declaration (GA (III/1), *Plenary*, p. 934).

For text of Resolution 217 (III), with its component parts, see GA (III/1), *Resolutions*, pp. 71 ff.

IO Files : US(P)/A/349

*United States Delegation Position Paper*

[PARIS,] December 8, 1948.

REPORT OF THE SIXTH COMMITTEE ON THE ITEM PROPOSED BY CHILE :  
VIOLATION BY THE U.S.S.R. OF FUNDAMENTAL HUMAN RIGHTS, TRADITIONAL DIPLOMATIC PRACTICES AND OTHER PRINCIPLES OF THE CHARTER <sup>1</sup>1. *United States Position*

The United States should vote in favor of the resolution declaring that measures which prevent or coerce the wives of citizens of other nationalities from leaving the country of origin of their husbands in order to join them abroad, are not in conformity with the Charter; and when these measures refer to the wives of members of foreign diplomatic missions, their family or retinue, they are also contrary to courtesy, to diplomatic practices and to the principles of reciprocity and are likely to impair friendly relations among nations; and further recommending that the Government of the Soviet Union withdraw the measures of such a nature which have been adopted.

It will be necessary for the United States to make a brief general statement on this subject.

2. *History in Committee* <sup>2</sup>

The original resolution on this subject was proposed by Chile (Documents A/C.6/296, and A/C.6/296/Corr. 1). Amendments thereto were proposed by the United Kingdom (Document A/C.6/311), Uruguay (Document A/C.6/315), and France (Document A/C.6/317). Chile subsequently withdrew its proposed resolution in favor of a joint French-Uruguayan draft (Document A/C.6/319) which was adopted by a roll call vote of twenty-six to six with six abstentions. The six negative votes were cast by the U.S.S.R., Byelo-Russia, Czechoslovakia, Poland, Ukraine and Yugoslavia. The six abstentions were Burma, China, Denmark, India, Siam and Union of South Africa.

3. *Possible Developments in the Plenary Meeting*

This resolution should be approved without difficulty, particularly since ten Latin-American delegates who would unquestionably support

<sup>1</sup> This item was not taken up by the General Assembly until the second part of the third session, when the General Assembly reconvened in New York during April and May 1949. For text of this report of the Sixth Committee, see GA (III/1), *Plenary, Annexes*, pp. 17 ff.

<sup>2</sup> The Sixth Committee had taken up the Chilean item on December 2, 3, 6, and 7; for the proceedings on this matter, see GA (III/1), *Sixth Committee*, pp. 718 ff.

Chile were not present when the vote was taken in Committee. The Soviet group may, however, raise again the question of the competence of the General Assembly or of the United Nations to deal with this matter, in view of the "domestic jurisdiction" provision of Article 2(7) of the United Nations Charter.<sup>3</sup>

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<sup>3</sup> For discussion in the plenary, April 25, 1949, see United Nations, *Official Records of the General Assembly, Third Session, Part II, Plenary Meetings*, pp. 141 ff. For remarks by the U.S. Representative (Mrs. Roosevelt), see *ibid.*, pp. 146-149. For text of the resolution adopted by the General Assembly on April 25, 1949 (Resolution 285 (III)), see United Nations, *Official Records of the General Assembly, Third Session, Part II, Resolutions*, p. 34.



THE UNITED STATES AND THE UNITED NATIONS CONFERENCE ON FREEDOM OF INFORMATION, HELD AT GENEVA, SWITZERLAND, MARCH 23-APRIL 21, 1948

*Editorial Note*

Pursuant to the resolutions of August 15, 1947 of the Economic and Social Council of the United Nations (ECOSOC) on freedom of information and of the press, the United Nations Conference on Freedom of Information convened at Geneva, Switzerland on March 23, 1948. This was the culmination of a series of events relating to freedom of information that occurred in several United Nations bodies from the beginning of the Organization in 1946: (1) the January 4, 1946 proposal of the Philippine Commonwealth at the initiatory meetings of the General Assembly in London that there be convened an international conference of the press; and the action of the General Assembly in placing the item on the agenda for its session in New York later in 1946. (2) ECOSOC approval on June 21, 1946 of a modified United States proposal for the establishment by the Commission on Human Rights of a Sub-Commission on Freedom of Information and of the Press. (3) Adoption by the General Assembly on December 14, 1946 of a revised Philippine proposal for the holding of an international conference on freedom of information during the year 1947. (4) Establishment on May 19, 1947 of the Sub-Commission on Freedom of Information and of the Press and its drafting of an agenda for the proposed conference. (5) The ECOSOC resolutions of August 15, 1947 in which were formulated the projected organization and provisional agenda of the conference. (6) The very extensive discussion of the draft agenda by the Third Committee of the General Assembly, at the General Assembly's second session in New York, on October 3, 4, 6, and 7, 1947 in connection with a draft resolution of the Soviet Union; and later on October 24, 25, 28, and 29, 1947 in connection with a draft resolution of Yugoslavia on the dissemination of slanderous reports. (7) The approval by the General Assembly on November 17, 1947 of Resolution 132 (III), taking note of the provisional agenda prepared by ECOSOC for the impending freedom of information conference; and calling ECOSOC's attention "to the discussion on this matter" in the Third Committee.

The United States approached the freedom of information conference with "considerable pessimism", attested to in public documentation by the Official Report itself of the United States Delegation (Department of State Publication 3150, *Report of the United States Delegates with Related Documents*, United Nations Conference on Freedom of Information, Geneva, Switzerland, March 23–April 21, 1948, United States Government Printing Office, 1948). A principal reason for this pessimism was the "Communist-propaganda attack, which made considerable headway, carried on both within and without the United Nations against the American press and other organs of opinion." (*ibid.*, page 2) These developments had occurred at the second regular session of the General Assembly in the autumn of 1947, as evidenced by Communist-bloc charges of "warmongering" by the United States, the Yugoslav draft resolution on slanderous reporting, and the debate in the Third Committee on the draft agenda of the impending conference and the issue of freedom of information itself. The deep concern of the United States Government at these events, and the planning that went into the formulation of pre-conference positions to counter-act these developments at the conference itself, is amply reflected in the official files of the United States Delegation to the conference (see last paragraph).

The United States Delegation to the Freedom of Information Conference consisted of ten members, with an advisory staff of fifteen officers most of whom were from the Department of State. The Delegation was led by William Benton, Assistant Secretary of State for Public Affairs until shortly before the conference met. The public members of the Delegation were all persons of prominence in the media. For the official list see Department of State *Bulletin*, March 21, 1948, page 378.

The overall conference strategy of the United States Delegation as described by the Delegation Chairman was to orient the conference to "freedom of information" rather than "obligations of the press" which meant legal controls. Thus at the outset of the conference the United States Delegation introduced a draft resolution on the general principles of freedom of information; and also a proposal for an international convention to guarantee newspaper correspondents greater access to news and greater freedom in its transmission (a "news-gathering" convention). Also as described by the Delegation Chairman, the United States program also projected taking the initiative in proposing nonrestrictive remedies (as opposed to legal controls) for abuses of the press, based primarily on the moral responsibility of information agencies. Thus, the United States proposed the right of official correction, that is, a plan for international procedures whereby



a government might submit its refutation of damaging press reports to the Secretary-General of the United Nations. The Delegation also introduced a draft resolution condemning "warmongering" and the dissemination of slanderous information. On the other hand, the United States was unwilling to support the establishment of elaborate United Nations machinery with wide authority for investigatory or even coercive powers. The United States program was to counter such a move with a proposal to establish on a permanent basis the ECOSOC Sub-Commission on Freedom of Information and of the Press. All of the United States proposals were adopted in one form or another, some substantially intact (as the resolution on general principles), others in varying degrees of modification (as the resolution on propaganda inciting to war and false reporting, and the newsgathering convention).

The results of the United Nations Conference on Freedom of Information, which extended from March 23 to April 21, 1948, were incorporated into a Final Act which consisted of a general statement on conference organization and procedures (including the implementing of decisions in the post-conference period) and three annexes. Annex A consisted of the three draft conventions adopted by the Conference: (1) the Draft Convention on the Gathering and International Transmission of News ("the United States Convention"); (2) the Draft Convention Concerning the Institution of an International Right of Correction ("the French Convention") (on the basis of an initial United States proposal); and (3) the Draft Convention on Freedom of Information ("the British Convention"). Annex B consisted of the Conference drafts of articles on freedom of information to be incorporated respectively into the Draft Declaration on Human Rights and the Draft Convention on Human Rights, then being formulated by the ECOSOC Commission on Human Rights. Annex C comprised 43 resolutions adopted by the Conference. Resolution 1, slightly modified, incorporated the United States draft on general principles of freedom of information and of the press. For the official text of the Final Act see United Nations Document E/CONF.6/79, April 22, 1948. A text of the Final Act is included as an appendix to the Official Report of the United States Delegation (see second paragraph).

There is ample documentation on the 1948 United Nations Freedom of Information Conference and related events (both antecedent and later) in the office lot files of the Department of State. The official United States Delegation file is in Lot 58-D443, Boxes 112 and 113. Box 112 contains a telegram file, the central correspondence file and memoranda of conversations. The internal conference documentation of the Delegation—minutes of delegation meetings, delegation working



papers, conference summaries, press releases—and official Conference documentation are located in Box 113. (The official Conference documentation is unclassified and is in ECOSOC's E/CONF.6 series. This documentation is organized on the basis of papers (including summary minutes) relating to plenary meetings of the Conference and to the meetings of the four main committees of the Conference.) Lot 126, Box 427 holds useful unorganized information regarding the Conference. Other office lot files contain unorganized (but useful) historical information mainly of the pre-Conference period (Lot 60D400, Box 565 and again Lot 126, Box 427; but one file additionally has documentation from the post-Conference period, 1948–1962 (Lot 69D308, Box 488).

UNITED STATES POLICY AT THE UNITED NATIONS WITH  
RESPECT TO THE REGULATION OF ARMAMENTS AND  
COLLECTIVE SECURITY: THE INTERNATIONAL CON-  
TROL OF ATOMIC ENERGY; REGULATION OF CONVEN-  
TIONAL ARMAMENTS; EFFORTS TOWARD AGREE-  
MENTS PLACING ARMED FORCES AT THE DISPOSAL  
OF THE SECURITY COUNCIL<sup>1</sup>

501.BC Armaments/1-2048: Telegram

*The Secretary of State to the United States Representative at the  
United Nations (Austin)*

SECRET

WASHINGTON, January 20, 1948—5 p. m.

23. For Osborn.<sup>2</sup> Re present phase of work in CCA it is desirable to have CCA vote on a resolution on Item II prior to becoming deeply involved in discussion on Item III in order to clarify the question of general principles and to have the CCA proceed in the orderly sequence of its Plan of Work.<sup>3</sup>

<sup>1</sup> Continued from *Foreign Relations*, 1947, vol. I, pp. 327-706. Documentation on aspects of United States policy with respect to atomic energy other than international control and documentation on United States national security policy are scheduled for publication in part 2 of the present volume. For additional documentation on the attitude of the Soviet Union concerning regulation of armaments, see vol. IV, pp. 788 ff., *passim*. For an informal summary record of policy developments concerning the international control of atomic energy, October 15, 1946, to May 17, 1948, see *The International Control of Atomic Energy: Policy at the Crossroads*, Department of State Publication 3161 (Washington, 1948). Regarding attempts to obtain armed forces for the use of the Security Council, see Donald C. Blaisdell, "Arms for the United Nations," in Department of State, *Documents and State Papers*, June 1948, pp. 141-158.

<sup>2</sup> On January 10, 1948, Frederick H. Osborn, Deputy United States Representative to the United Nations Atomic Energy Commission, was appointed by President Truman to succeed Ralph H. Bard as Deputy United States Representative to the United Nations Commission for Conventional Armaments. Bard had submitted his resignation on December 19, 1947, effective December 31. Osborn assumed his additional responsibilities officially on February 12. Senator Warren R. Austin, United States Representative at the United Nations, was formally United States Representative to both the UNAEC and the CCA. Osborn, however, usually represented the United States on those commissions and was the ranking official at the United States Mission at the United Nations concerned with the work of those bodies on a day by day basis.

<sup>3</sup> For text of the resolution adopted by the Security Council on February 13, 1947, establishing the Commission for Conventional Armaments, see United Nations, *Official Records of the Security Council, Second Year, Supplement No. 5*, pp. 58-59. On June 18, 1947, the CCA adopted a plan of work which the Security Council approved on July 8. It read as follows:

"1. Consider and make recommendations to the Security Council concerning armaments and armed forces which fall within the jurisdiction of the Commission for Conventional Armaments.

Footnote continued on following page.

At RAC<sup>4</sup> meeting Jan 7 with Osborn it was agreed that it would be inadvisable for CCA to report differences to SC at present due to likelihood precipitation full scale debate in SC of armaments problems, including atomic energy, thus interfering with US objectives re further SC debate of the atomic energy problem.

In view of foregoing it seems advisable at this time to record majority views on Item II (and anticipated Soviet opposition) merely by a vote in CCA on resolution on this item prior to full discussion of Item III. Revision US resolution on Item II will follow today.<sup>5</sup>

MARSHALL

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Footnote continued from preceding page.

2. Consideration and determination of general principles in connection with the regulation and reduction of armaments and armed forces.

3. Consideration of practical and effective safeguards by means of an international system of control operating through special organs (and by other means) to protect complying States against the hazards of violations and evasions.

4. Formulate practical proposals for the regulation and reduction of armaments and armed forces.

5. Extension of the principles and proposals set forth in paragraphs 2, 3, and 4 above to States which are not Members of the United Nations.

6. Submission of a report or reports to the Security Council including, if possible, a Draft Convention."

On July 16, the CCA established a Working Committee of the whole to which it assigned the plan of work as terms of reference. At its 4th Meeting, September 9, 1947, the Working Committee approved a revised United States resolution on item 1 (terms of reference) over Soviet opposition by a vote of 7 to 2 with 2 abstentions. The resolution read as follows:

"The Working Committee resolves to advise the Security Council

(1) that it considers that all armaments and armed forces, except atomic weapons and weapons of mass destruction, fall within its jurisdiction and that weapons of mass destruction should be defined to include atomic explosive weapons, radioactive material weapons, lethal chemical and biological weapons and any weapons developed in the future which have characteristics comparable in destructive effect to those of the atomic bomb or other weapons mentioned above;

(2) that it proposes to proceed with its work on the basis of the above definition."

The Working Committee thereafter devoted its efforts to consideration of item 2 (basic principles).

The records of the Commission for Conventional Armaments have not been published; sets are in the files of the Records and Documents Section of the Bureau of International Organization Affairs, Department of State (hereafter referred to as IO Files), and in United Nations Depository Libraries.

<sup>4</sup>The Executive Committee on Regulation of Armaments (RAC) was established to facilitate interdepartmental coordination in the development of policy on this subject. Regarding the establishment and functions of RAC, see letter from the Under Secretary of State to the Assistant Secretary of War, February 20, 1947, *Foreign Relations*, 1947, vol. I, p. 418. Documentation of the Executive Committee is in Lot 5SD133, a consolidated lot file in the Department of State containing documentation on armaments, regulation of armaments, and disarmament, 1942-1962. (Hereafter referred to as Department of State Disarmament Files.)

<sup>5</sup>Reference is to the draft resolution contained in document RAC D-13/12c, dated January 22, not printed. Among the characteristics of a system of regulation of armaments mentioned by this draft were the following: 1) It should be universal 2) It can be put into effect only in an atmosphere of international confidence 3) It should limit armaments and armed forces to a level consistent with the maintenance of international peace and security 4) It must contain safeguards and means of enforcement. (Department of State Disarmament Files)



Department of State Disarmament Files

*Memorandum by Mr. Donald M. Leith of the Division of International Security Affairs*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] February 3, 1948.

The following notes include a brief statement of the highlights of my recent trip to New York:<sup>2</sup>

1. Upon my arrival I went over with Mr. Osborn, in some detail, the material so far prepared by RAC and the Department dealing with the subject of conventional armaments. Particular emphasis was given in our discussions to the proper interpretation of RAC D-13/10e, the basic statement of general principles,<sup>3</sup> and RAC D-18/2e, dealing with the elements of safeguards.<sup>4</sup> I also gave Mr. Osborn some background on the thinking which had led to the development of RAC and Departmental positions on the subject of regulation of armaments.

2. Mr. Osborn, Mr. Burton,<sup>5</sup> and I attended the 13th Meeting of the CCA Working Committee on January 21. This was a particularly useful meeting at which to have been present because Mr. Gromyko<sup>6</sup> made a general statement criticizing the Australian Resolution,<sup>7</sup> and during the course of this criticism revealed for the first time the line he is generally expected to follow in attacking resolutions having points in common with the Australian Resolution (as the United States draft Resolution on Item II has). During this meeting Mr. Osborn took the position that it was premature to appoint a sub-committee to deal with resolutions on Item II, a position in accord with Departmental thinking.

3. Although a sub-committee was not appointed, it was suggested that the British and Australians should endeavor to merge their draft resolutions into one.<sup>8</sup> This suggestion was accepted.

<sup>1</sup> This memorandum was directed to Dean Rusk, Director of the Office of United Nations Affairs; Donald C. Blaisdell, Special Assistant to Mr. Rusk; Howard C. Johnson, Associate Chief of the Division of International Security Affairs; and John C. Elliott, Acting Assistant Chief of the Division and Executive Secretary of the Executive Committee on Regulation of Armaments.

<sup>2</sup> Leith visited the United States Mission at the United Nations from January 20 to January 28.

<sup>3</sup> For a statement of United States policy on this subject based on document RAC D-13/10e and submitted to the Commission for Conventional Armaments on September 17, 1947, see *Foreign Relations*, 1947, vol. I, p. 660.

<sup>4</sup> Not printed, but see previous draft, document RAC D-18/2d, *ibid.*, p. 703.

<sup>5</sup> John R. Burton, Jr., Staff Member, United States Delegations to the United Nations Atomic Energy Commission and to the Commission for Conventional Armaments.

<sup>6</sup> Andrey Andreyevich Gromyko, Permanent Representative of the Soviet Union at the United Nations; Soviet Representative to the Commission for conventional Armaments.

<sup>7</sup> The Australian resolution, relating to Item II of the Plan of Work (General Principles), is not printed.

<sup>8</sup> The British resolution is not printed.

4. The day following the meeting, we received a draft of the proposed joint U.K.-Australian Resolution on Item II<sup>9</sup> for our suggestions. I was given to understand that this was on the initiative of the U.K. Delegation. The joint Resolution contained a few points to which we had major objections. Mr. Osborn sent Mr. Burton and me to the British to give them our views in an informal way. We emphasized that such views as we expressed were in no sense official and that we were not prepared, as yet, to commit ourselves to support any of the resolutions so far submitted. The British appeared to be in sympathy with our views and said they would discuss them with the Australians. A revision subsequent to such discussion has been forwarded to USUN (RAC).

5. The Chairmanship of the CCA changes Monday, February 2nd and Mr. Osborn takes over from Sir Alexander Cadogan.<sup>10</sup> The date for the next meeting of the Working Committee has not been set and none of the Delegations is, as yet, pressing for an early convening of the Committee. Nevertheless, it is likely that there will be at least one meeting before the middle of February.

6. The tactics tentatively decided upon by USUN for the next few weeks are as follows:

7. When the joint U.K.-Australian Resolution is introduced to the Committee, USUN proposes to offer, as amendments, those important changes which have not been accepted. It is even possible that we shall introduce a resolution of our own, although the former method would be preferable since our resolution would be similar in many respects to that of the other two delegations. A vote on Item II will almost certainly be taken before the end of the month. This means that the Commission will be faced with the alternatives of either going on to Item III or not meeting at all for an indefinite period. Mr. Osborn's present instructions call for proceeding with Item III.

8. While Mr. Osborn agrees with those who feel that there may be a good deal of logic in stopping after the vote on a Resolution on Item II, he feels that the general principles are so general, that even a 9 to 2 vote on them would not make the strong record we should like. He, therefore, believes it desirable to proceed far enough into Item III to develop a majority supported statement regarding elements of safeguards. By developing such an agreed statement, Mr. Osborn feels that the majority and ourselves would be in the strong position of having made constructive proposals both in the atomic energy field and in that of conventional armaments which the Soviets and their satellites alone had refused to accept. Furthermore, he thinks that the Soviet

<sup>9</sup> Not printed.

<sup>10</sup> Permanent Representative of the United Kingdom at the United Nations; British Representative to the Commission for Conventional Armaments.



rejection of proposals on safeguards would mean much more to the "man-in-the-street" than a difference merely on principles—important as these principles may be.

9. I asked Mr. Osborn whether he thought the discussion of safeguards could be controlled in such a way as not to involve us too deeply in the details of Item III, or so as not to invite a discussion on Item IV, either one of which would at this time seriously embarrass us. Mr. Osborn seemed confident that such discussion could be avoided in the light of his experience in the UNAEC where a similar danger had existed. He said, however, his final attitude on the matter would be strongly influenced by the reaction of friendly delegations, notably the Canadian, French, and United Kingdom Delegations. With their co-operation he had no doubt that the discussion could be limited to the desired scope.

10. Mr. Osborn has already seen General McNaughton<sup>11</sup> of the Canadian Delegation and Baron de la Tournelle<sup>12</sup> of the French Delegation. Before meeting with these gentlemen, Mr. Osborn asked me whether I thought the Department would feel it worthwhile for him to see them, provided the conversation were kept on a highly personal basis with a clear understanding that no decision has as yet been reached by the State Department. I told him I was sure the Department would approve such action on the basis contemplated. Both men, when consulted, seemed favorable to Mr. Osborn's suggestion.

11. Mr. Osborn, therefore, believes it will be possible, with such help as can be supplied from Washington, to undertake the consideration of elements of safeguards in the CCA such as are outlined in RAC D-18/2e, if the tactical situation makes it appear wise to go ahead. However, he plans to discuss this matter at the RAC meeting on Wednesday, February 4.

12. Two Annexes are attached to this memorandum. Annex I is Mr. Osborn's memorandum of the conversation which he and I had with General McNaughton concerning the advisability of proceeding with a consideration of safeguards. Annex II is a memorandum of conversation I had with Mr. Osborn concerning his interview with Baron de la Tournelle of the French Delegation.

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<sup>11</sup> General Andrew G. L. McNaughton, Permanent Canadian Representative at the United Nations; Canadian Representative on the United Nations Atomic Energy Commission and Commission for Conventional Armaments; Chairman of the Canadian Atomic Energy Control Board.

<sup>12</sup> Baron Guy de la Tournelle, Alternate French Representative to the Commission for Conventional Armaments.



## Annex 1

*Memorandum of Conversation, by the Appointed Deputy United States Representative to the Commission for Conventional Armaments (Osborn)*

[NEW YORK,] January 27, 1948.

Mr. Leith and Mr. Osborn called on General McNaughton Tuesday afternoon, January 27, 1948. George Ignatieff, General McNaughton's top assistant, was present.

General McNaughton went over with them the situation in the Commission for Conventional Armaments, with which he was relatively unacquainted. He considered the plan of work and the draft of the British-Australian resolution covering Item II—General Principles, immediately pointing out the weakness of the Australian proposal for progress on disarmament by stages.

General McNaughton then discussed the advisability of continuing through Item III—Safeguards, attempting to get a majority report setting up the general principles of safeguards, without, however, developing any specific proposals. He rather indicated that he thought this could be done in a four or five page document and that it would be worth doing because if it got majority approval and the Soviets opposed it, as they certainly would, it would again put the Soviets in the position of refusing to come into a plan and a system of inspection which the majority felt was essential to world security. General McNaughton did not think there was any danger of our being drawn into a discussion of actual reduction (Item IV). He suggested that we not make up our minds at once on whether to proceed with Item III, but see how we made out on Item II. In any event, he felt there could be no possibility of considering Item IV; in other words, that the present work of the Commission must be concluded either with Item II or with Item III.

Ignatieff was more diffuse in his statements and did not appear to support the idea of a majority expression on principles covering safeguards. (Mr. Osborn noted that on the Atomic Energy Commission General McNaughton's own views always prevailed, and always overruled Ignatieff's position, but this might not be the case in the Conventional Armaments Commission, with which General McNaughton was not as much concerned.)

## Annex 2

*Memorandum of Telephone Conversation, by Mr. Donald M. Leith of the Division of International Security Affairs*

[WASHINGTON,] January 30, 1948.

Mr. Osborn called me Friday afternoon January 30, 1948, to report on his conversation with Baron de la Tournelle of the French Delegation regarding the subject of future activities in the CCA. The Baron indicated that he was much disappointed with the lack of progress so far made in the CCA. He had expected that since the United States had taken a position of leadership in the beginning, especially respecting the Plan of Work and Item I, we would have had much more concrete proposals to make respecting Items II and III and would have been more eager to make them. He himself thought that it would be most desirable at this point to develop a basic statement on safeguards which could in turn become the basis for a vote on Item III. He felt very definitely that the Russians would be in no position to agree to such a statement in as much as it had already been made evident that a thorough going system of inspection would be contrary to what they believed their interests to be. He felt definitely that any discussions on Item III could be controlled to such an extent that it would not be necessary to deal with material that might be embarrassing to us at this time.

Mr. Osborn stated that in talking with Baron de la Tournelle the above suggestions had been made on the initiative of the Baron.

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501.BC Armaments/2-948: Telegram

*The Secretary of State to the United States Representative at the United Nations (Austin)*

SECRET

WASHINGTON, February 9, 1948—7 p. m.

51. For Osborn. Consistent with decisions re course of action to be followed in CCA reached at RAC meeting (attended by Osborn) Feb. 4: (1) Manner of dealing with Item II (see Deptel 23 Jan 20) remains unchanged. Redraft of latest version UK-Australian Resolution showing RAC proposed changes and preferences being forwarded by pouch (RAC D-13/12e).<sup>1</sup>

(2) CCA consideration of Item III of Plan of Work should be limited to elements of a system of safeguards, avoiding to extent possible, involvement in technical details. Approved U.S. position on

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<sup>1</sup> Not printed.

these elements (RAC D-18/2e)<sup>2</sup> indicates desired scope of CCA consideration.

(3) Dept approves efforts to broaden support for view that at a time consistent with 4 below a CCA report could be submitted to SC. Depending on the situation in the CCA such a report would embrace all work done up to and including a resolution on elements of a system of safeguards.

(4) Any report from CCA to SC should be deferred until after SC takes up Third Report of UNAEC. Reasons are same as those given in Deptel 23 of Jan 20.

MARSHALL

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<sup>2</sup> Not printed; earlier version, document RAC D-18/2d, *Foreign Relations*, 1947, vol. I, p. 703.

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Department of State Atomic Energy Files <sup>1</sup>

*Minutes of Meeting at the Department of State, April 2, 1948, 4 p. m.*

TOP SECRET

Subject: International Control of Atomic Energy.

Those present: U—Mr. Lovett <sup>2</sup>

U—Mr. Gullion <sup>3</sup>

C—Mr. Bohlen <sup>4</sup>

EUR—Mr. Hickerson <sup>5</sup>

UNA—Mr. Rusk

Mr. Blaisdell

Mr. H. C. Johnson (IS)

NEA—Mr. Wright <sup>6</sup>

USUN—Mr. Osborn

Mr. Arneson <sup>7</sup>

Mr. Rusk outlined the program to be followed in the United Nations between now and December 1, on the question of international

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<sup>1</sup> Lot 57D688, the consolidated lot file on atomic energy, 1944-1962, located in the Department of State, including the records of the office of the Special Assistant to the Under Secretary of State for atomic energy policy and the records of the United States Delegation to the United Nations Atomic Energy Commission.

<sup>2</sup> Robert A. Lovett, Under Secretary of State.

<sup>3</sup> Edmund A. Gullion, Special Assistant to the Under Secretary of State (for atomic energy policy).

<sup>4</sup> Charles E. Bohlen, Counselor of the Department of State.

<sup>5</sup> John D. Hickerson, Director of the Office of European Affairs.

<sup>6</sup> Edwin M. Wright, Special Assistant to the Director of the Office of Near Eastern and African Affairs.

<sup>7</sup> R. Gordon Arneson, Adviser, United States Delegation to the United Nations Atomic Energy Commission.



control of atomic energy.<sup>8</sup> The Third Report will be submitted to the Security Council and the matter will be discussed by the Security Council and the General Assembly. Mr. Rusk stated that the Third Report would recommend that until such time as the sponsors of the General Assembly Resolution of January 24, 1946,<sup>9</sup> find through prior consultation that there exists a basis for negotiations on international control of atomic energy and so report to the General Assembly, negotiations in Atomic Energy Commission should be deferred. He indicated that there was general agreement that during the Security Council and General Assembly consideration there should be no AEC activities. He indicated that it appeared to UNA that substantial work should be done during this period:

- a. to fill out the Baruch proposals;
- b. to determine whether these proposals require all or not all the Governments;
- c. to examine alternative defense arrangements, and
- d. to investigate other major weapons of mass destruction, particularly B.W.

He indicated that UNA hopes to leave open at this time the question as to what will be done after December 1. To take the initiative now in stopping and accepting an arms race puts us under an unnecessary political handicap.

Mr. Lovett stated that all countries involved were absolutely in accord on the procedure. He was concerned that there is any doubt that we have reached the end of the road. The time had come to be frank and he felt the time had come to stop.

Mr. Rusk read Mr. Lovett's memorandum of March 12,<sup>10</sup> which stated that the Third Report should leave "a loophole for renewal of discussions in the unlikely event that there should be significant

<sup>8</sup> For information regarding previous negotiations on this subject, see memorandum RAC D-30/1a, April 9, 1948, *infra*.

<sup>9</sup> For text, see United Nations, *Official Records of the General Assembly, First Session, First Part, Resolutions*, p. 9.

<sup>10</sup> In the memorandum under reference, in which he had approved an antecedent draft of document RAC D-30/1a, Lovett stated the following:

. . . I want to make clear that I know of nothing in the evolution of the atomic energy debate in the United Nations or in the development of the world political situation which would indicate that there is any useful purpose in continuing discussions on their present terms of reference at the AEC level. I believe, therefore, that the Third Report should make this as clear as possible, while leaving a loophole for renewal of discussions in the unlikely event that there should be significant new proposals or concessions on the part of the governments of the majority, or of the Soviet Union and Poland. This saving clause should not be dwelt on or emphasized in such a manner as to dilute the definitive character of the report.

Moreover, while I agree that we do not at this time want to bind ourselves absolutely to discuss the matter in the General Assembly, it should certainly be our decision in principle to do so. . . . (Department of State Atomic Energy Files)

new proposals or concessions on the part of governments of the majority, or of the Soviet Union". He stated that UNA wanted to be sure to leave this loophole. Mr. Lovett replied that he wanted to reserve only the United States right to re-open.

Mr. Rusk indicated that we had looked at no other alternatives and that we might wish to have UN support other arrangements.

Mr. Lovett replied that if we say we are through, that does not prevent us from re-opening the question but the others should not be given the opportunity to do so.

In response to a request from Mr. Lovett, Mr. Osborn indicated that we must call off negotiations on the broadest possible basis until the Soviets give some indication of the change in their position, but that this must be done in such a way as to indicate that we are not taking the problem out of the UN.

Mr. Rusk indicated the desire to leave the greatest flexibility. The U.S. might wish to have UN back some sort of alliance. Mr. Gullion indicated that this would not be done in AEC. Mr. Rusk replied that AEC was established to consider atomic energy on the broadest possible basis. Mr. Lovett felt that this would not apply to an alliance.

Mr. Rusk referred to material proposed for inclusion in the Third Report (Appendix "A"), and expressed the hope that everyone should agree upon what it means. In his view, if later studies indicate that we wish to take some additional steps in this field in the UN, this should not be foreclosed. Mr. Lovett replied that the loophole is for the U.S., not for others.

Mr. Rusk referred to the minutes of the Secretaries of State, War and Navy, September 11, 1947,<sup>11</sup> in which the three secretaries agreed that, "It was also the sense of the discussion that the U.S. take no initiative at this juncture in the UNAEC, in the Security Council, or in the General Assembly, to terminate negotiations looking toward international control of atomic energy. We should, however, review our whole position in view of the situation arising out of failure to reach agreement in UNAEC thus far, particularly with respect to our defense plans and our atomic energy relationship with Great Britain and Canada." He also referred to Secretary Marshall's statement at this meeting: "That it appeared certain that we should not break off negotiations in the UNAEC until we have considered and decided upon our position following the break off." Mr. Rusk expressed the view that we should not break off one thing until we know where we are. He was worried about a flat break-off. Mr. Lovett replied that the situation referred to by General Marshall had been taken care of by

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<sup>11</sup> For the pertinent portion of the text of the minutes, see *Foreign Relations*, 1947, vol. I, p. 838.



a continuing arrangement with the United Kingdom and Canada.<sup>12</sup> Mr. Lovett felt that the position paper should indicate a clear decision.

Mr. Rusk stated that there was no question of dissolving the AEC or withdrawing the United States offer. Mr. Lovett indicated that no mention should be made of withdrawal. However, it was his view that Congress would not authorize the making of the offer today.

Mr. Rusk indicated that the U.S. Government's work on the Baruch proposal on international control should not be suspended. Mr. Lovett indicated that he did not object.

Mr. Gullion pointed out that it was dangerous to discuss stages. Mr. Hickerson agreed and Mr. Lovett indicated that we could not do that.

Mr. Lovett indicated that others should take the initiative rather than the United States.

Mr. Lovett asked what the advantage was of paragraph 2 of the Appendix. Mr. Osborn indicated that the General Assembly should debate the question of atomic energy with a specific purpose in mind and that this recommendation provided such a purpose. Mr. Lovett was fearful of the open-end offer of this paragraph and asked why it might not be omitted. Mr. Osborn replied that others feel that it would lay us open to a charge of calling off, and that by this formula we can more effectively sell our position that negotiations be moved to a higher level.

Mr. Hickerson expressed concern that winding up at this time in connection with other contemplated actions, might have an unusual effect, and might enable Communists to say this was an atomic alliance. Mr. Gullion replied that this would be a good effect. Mr. Hickerson indicated that the paragraph would help.

Mr. Rusk indicated that the paragraph would be very important in convincing people that we want to continue negotiations whenever there is a basis. Mr. Gullion feared that it might be interpreted as indicating that we wished to continue negotiations. Mr. Rusk replied that we never want to close and lock the door.

Mr. Blaisdell interpreted paragraph 2 of the Appendix as requiring agreement of all sponsors. Mr. Rusk indicated that it was not necessary to decide this at this time. Mr. Arneson and Mr. Hickerson expressed the view that the paragraph in question contemplated agreement by all sponsoring governments. Mr. Rusk stated that we should not create another veto. Mr. Lovett agreed with Messrs. Arneson and Hickerson and asked that the policy paper be brought in line with this.<sup>13</sup>

Mr. Lovett said the paper should be cleared with Mr. Osborn.

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<sup>12</sup> Documentation on the relationship between the United States and the United Kingdom and Canada in regard to atomic energy is scheduled for publication in part 2 of the present volume; see also *Foreign Relations*, 1947, vol. I, pp. 781 ff., *passim*.

<sup>13</sup> The policy paper under reference is RAC D-30/1a, *infra*.



Mr. Bohlen asked when this decision might be announced. Mr. Osborn replied "next week or the week after".

Mr. Rusk indicated that UNA would take the initiative in making studies mentioned by him at the opening of the meeting.

*Action:*

There was general approval of the Appendix.

Appendix "A"

In the course of nearly two years of negotiation and study the Governments of the majority have agreed on the principles essential to any fully effective system of international control of atomic energy. The Commission has been unable to secure Soviet agreement to even the essential elements of such a system. The Commission has not found any willingness on the part of the Soviet Union to accept the nature and extent of participation in the world community required of all nations in this field by the First and Second Reports of the Atomic Energy Commission.<sup>14</sup> Failure to achieve agreement on these matters has created a situation that is beyond the competence of this Commission. Until this situation is resolved, the Commission concludes that no useful purpose can be served by carrying on negotiations at the Commission level.

The Commission therefore recommends that until such time as the sponsors of the General Assembly resolution of January 24, 1946 (Canada, China, France, U.S.S.R., United Kingdom and United States) find, through prior consultation, that there exists a basis for negotiations on the international control of atomic energy and so report to the General Assembly, negotiations in the Atomic Energy Commission should be deferred.

In accordance with its terms of reference, the Atomic Energy Commission reports this evaluation of the situation and its recommendations thereon to the Security Council for its consideration and transmittal, along with the two previous reports of the Commission, to the next regular session of the General Assembly as a matter of special concern.

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<sup>14</sup> For text of the First Report, see United Nations, *Official Records of the Atomic Energy Commission, First Year, Special Supplement, Report to the Security Council (1946)*. For text of the Second Report, see United Nations, *Official Records of the Atomic Energy Commission, Second Year, Special Supplement, The Second Report of the Atomic Energy Commission to the Security Council, September 11, 1947* (hereafter cited as AEC, 2nd yr., Special Suppl.).

Department of State Atomic Energy Files

*Position Paper Approved by the Executive Committee on Regulation of Armaments*<sup>1</sup>

TOP SECRET

[WASHINGTON,] April 9, 1948.

RAC D-30/1a

UNITED STATES POLICY IN THE UNITED NATIONS FOR THE INTERNATIONAL CONTROL OF ATOMIC ENERGY

THE PROBLEM

1. To determine a United States position in respect of (a) the continuance of the work of the United Nations Atomic Energy Commission, (b) whether or not that Commission should now render a Third Report, (c) the general tone of that Report.

FACTS BEARING ON THE PROBLEM

(See Appendix A)

DISCUSSION

(See Appendix B)

CONCLUSIONS

2. Soviet opposition to the essential elements of an effective system of international control as supported by the majority of the Commission in its First and Second Reports derives not merely from specific disagreement with the essential elements themselves but is an expression of the overall Soviet policy of obstruction of the aims and principles of the non-Soviet nations.

3. It is, therefore, unrealistic to expect to obtain Soviet acceptance of the essential bases for an effective system of international control except as a major reversal of fundamental Soviet policy may occur. Thus, the impasse resulting from Soviet refusal to accept the majority-supported proposals for control of atomic energy is such as to be beyond the competence of the U.N. Atomic Energy Commission to resolve.

4. This fact should be brought to the attention of the world through a Third Report of the UNAEC which will expose the unwillingness of the Soviet Union to accept the obligations of membership in a world

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<sup>1</sup>This document is a revision of RAC D-30/1, not printed, a position paper submitted to RAC by the Department of State on March 19. The present paper was approved by the Acting Secretary of State on April 14 and by the Secretary of Defense on April 16. The United States Atomic Energy Commission declined to express an opinion on it. In telegram 246 to New York, April 23, the United States Representative at the United Nations was "authorized to proceed in accordance with" this document. (501.BC Atomic/4-2348)

community required for effective international control and the complete inadequacy of the Soviet counter proposals.

5. The existence of the impasse precludes any useful purpose being served by continuing negotiations in the UNAEC. The record of the USSR in the UNAEC and the course of USSR relations with the rest of the world in the past two years does not warrant the degree of mutual confidence necessary to permit effective negotiation in the UNAEC on those strategic and political details of the majority plan which would still require elaboration before a draft treaty could be submitted. To continue discussions in the AEC under these circumstances would be prejudicial to U.S. security and would give the peoples of the world a false idea of the prospects for international control.

6. In order to focus world opinion on the situation created by Soviet intransigence, the Third Report of the UNAEC should, *inter alia*

(a) recognize that the present impasse is beyond UNAEC competence to resolve;

(b) recommend that until such time as the General Assembly finds that this situation no longer exists, or until such time as the sponsors of the General Assembly resolution of January 24, 1946 who are the permanent members of the Atomic Energy Commission (Canada, China, France, USSR, UK and US) find through prior consultation that there exists a basis for agreement on the international control of atomic energy and so report to the General Assembly, negotiations in the AEC should be suspended;

(c) recommend that the existing impasse, documented by the First, Second and Third Reports, should be considered by the Security Council and by the General Assembly at its next regular session; the report should be drafted with this objective in view.

7. The United States Representatives on the AEC should be authorized to explain to other delegations that this is the present United States position and intention subject to change only in the light of overriding developments in international relations which would make reconsideration desirable.

#### RECOMMENDATIONS

It is recommended :

(a) that the above conclusions be approved, and

(b) that upon approval of this paper by the Secretaries of State and Defense and the Chairman of the USAEC, it be forwarded to USUN as guidance.



## Appendix A

## FACTS BEARING ON THE PROBLEM

## 8. U.S. POLICY WITH RESPECT TO THE INTERNATIONAL CONTROL OF ATOMIC ENERGY

*(a) Three-Nation Agreed Declaration*

The policy of the United States Government with respect to the international control of atomic energy was given its first public expression in the Three-Nation Agreed Declaration issued on November 15, 1945, by the President of the United States and the Prime Ministers of the United Kingdom and Canada.<sup>2</sup> This Declaration, which resulted from conversations initiated by the United States, stated: "In order to attain the most effective means of entirely eliminating the use of atomic energy for destructive purposes and promoting its widest use for industrial and humanitarian purposes, we are of the opinion that at the earliest practicable date a Commission should be set up under the United Nations Organization to prepare recommendations for submission to the Organization." The Declaration recommended that the Commission make specific proposals with regard to the following phases of the problem:

"(a) For extending between all nations the exchange of basic scientific information for peaceful ends.

"(b) For control of atomic energy to the extent necessary to ensure its use only for peaceful purposes.

"(c) For the elimination from national armaments of atomic weapons and of all other major weapons adaptable to mass destruction.

"(d) For effective safeguards by way of inspection and other means to protect complying states against the hazards of violations and evasions."

*(b) The General Assembly Resolution of January 24, 1946*

The proposals in the Three-Nation Agreed Declaration were discussed at the meeting of the Council of Foreign Ministers in Moscow, December 16 to 26, 1945, and agreement was reached on a draft resolution to be presented to the First General Assembly of the United Nations.<sup>3</sup> This resolution, which France and China joined the other Powers in sponsoring, was adopted by the General Assembly on January 24, 1946.<sup>4</sup> It created a Commission composed of one representa-

<sup>2</sup> For full text, see Department of State Treaties and Other International Acts Series No. 1504; or 60 Stat. (pt. 2) 1479. For documentation relating to that declaration, see *Foreign Relations*, 1945, vol. II, pp. 1-98, *passim*.

<sup>3</sup> For documentation on the Moscow Conference of Foreign Ministers, see *ibid.*, pp. 560-826; for text of the agreed resolution, see *ibid.*, p. 822.

<sup>4</sup> For documentation on United States policy with respect to the international control of atomic energy during 1946, see *Foreign Relations*, 1946, vol. I, pp. 712 ff., *passim*.

tive from each of the States represented on the Security Council and from Canada, when it was not one of such States. The resolution directed the Commission to "proceed with the utmost despatch and enquire into all phases of the problem, and make such recommendations from time to time with respect to them as it finds possible." In addition, the resolution incorporated verbatim in the Commission's terms of reference that portion of the Three-Nation Agreed Declaration quoted above which called for specific proposals on four separate aspects of the problem. The resolution also contained the following sentence which was derived directly from the Declaration: "The work of the Commission should proceed by separate stages, the successful completion of each of which will develop the necessary confidence of the world before the next stage is undertaken."

(c) *The Baruch Proposals*

At the first meeting of the United Nations Atomic Energy Commission in New York City on June 14, 1946, the United States Representative, Mr. Baruch, made the following proposals on behalf of the United States for achieving international control of atomic energy:

"The United States proposes the creation of an International Atomic Development Authority, to which should be entrusted all phases of the development and use of atomic energy, starting with the raw material and including—

"1. Managerial control or ownership of all atomic-energy activities potentially dangerous to world security.

"2. Power to control, inspect, and license all other atomic activities.

"3. The duty of fostering the beneficial uses of atomic energy.

"4. Research and development responsibilities of an affirmative character intended to put the Authority in the forefront of atomic knowledge and thus to enable it to comprehend, and therefore to detect, misuse of atomic energy. To be effective, the Authority must itself be the world's leader in the field of atomic knowledge and development and thus supplement its legal authority with the great power inherent in possession of leadership in knowledge.

"When an adequate system for control of atomic energy, including the renunciation of the bomb as a weapon, has been agreed upon and put into effective operation and condign punishments set up for violations of the rules of control which are to be stigmatized as international crimes, we propose that—

"1. Manufacture of atomic bombs shall stop;

"2. Existing bombs shall be disposed of pursuant to the terms of the treaty, and

"3. The Authority shall be in possession of full information as to the know-how for the production of atomic energy."<sup>5</sup>

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<sup>5</sup> For text of Baruch's statement, see United Nations, *Official Records of the Atomic Energy Commission, First Year, Plenary Meetings*, (hereafter cited as *AEC 1st yr., Plenary*), pp. 4-14, or *Department of State Bulletin*, June 23, 1946, pp. 1057-1062.



9. POSITION OF THE MAJORITY AND MINORITY OF THE UNITED NATIONS  
ATOMIC ENERGY COMMISSION

(a) The First Report of the United Nations Atomic Energy Commission was approved on December 31, 1946, by a majority of 10 Members with the Soviet Union and Poland abstaining. The Second Report was approved September 11, 1947, again by a majority of 10 Members, the Soviet Union opposing and Poland abstaining. Because of the change in membership of the Commission, a total of 13 nations participated in the majorities approving both reports. The Introduction to the Second Report contains this important statement: "The majority of the Commission concludes that the specific proposals of this Report which define the functions and powers of an international agency, taken together with the General Findings and Recommendations of the First Report, provide the essential basis for the establishment of an effective system of control to ensure the use of atomic energy only for peaceful purposes and to protect complying states against the hazards of violations and evasions." (See First Report, General Findings and Recommendations, pages 17 to 22, and Introduction to Second Report, pages 1 to 2 for statement of essential elements of the majority position.)

(b) The Soviet Union, which dissented from the First and Second Reports, on June 19, 1946 proposed as a first step in fulfillment of the Commission's terms of reference the adoption of a convention which would prohibit the use, production and storing of atomic weapons and would require destruction of such weapons, "whether in a finished or unfinished condition," within a period of 3 months from its effective date.<sup>6</sup> On February 18, 1947, the Representative of the Soviet Union introduced in the Security Council 12 proposed amendments to the General Findings and Recommendations contained in the Commission's First Report,<sup>7</sup> and on June 17 [11], 1947, he submitted a number of proposals for the control of atomic energy based upon international inspection and national management of atomic facilities.<sup>8</sup> These proposals made little contribution to the matter at hand, as most of their features had already been discussed and rejected by the majority in the First Report.

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<sup>6</sup> The proposal under reference was contained in a statement by the Soviet Representative, Andrey A. Gromyko, at the 2nd Meeting of the United Nations Atomic Energy Commission, June 19, 1946. For text of that statement, see AEC, *1st yr., Plenary*, pp. 23-30; or Department of State, *Documents on Disarmament 1945-1959* (Washington, Government Printing Office, 1960), vol. I, pp. 17-24.

<sup>7</sup> For text, see United Nations, *Official Records of the Security Council, Second Year, Supplement No. 7*, pp. 63-68; or *Documents on Disarmament 1945-1959*, vol. I, pp. 61-64.

<sup>8</sup> For text, see Gromyko's statement at the 12th Meeting of the United Nations Atomic Energy Commission, June 11, 1947, AEC, *2nd yr., Plenary*, pp. 20-24; or *Documents on Disarmament 1945-1959*, vol. I, pp. 85-88.



(c) Prolonged discussion of the Soviet proposals in the Atomic Energy Commission has failed to resolve fundamental points of disagreement between the majority and the minority on the following aspects of the problem :

(1) *Ownership of Source Material*: This Government and the majority of the Atomic Energy Commission have insisted that there can be no assurance of security under any system of atomic energy control unless the international agency has unqualified ownership of all source material after it is mined. The Soviet Union, on the other hand, considers that periodic inspection of mining facilities is sufficient. In the Soviet view source material should be left in national hands.

(2) *Ownership, Management, and Operation of Dangerous Facilities*: This Government and the majority considers that the international agency must have the sole responsibility for dangerous facilities through ownership, management, and operation—dangerous, that is, to international security. The Soviet Union, on the other hand, considers that dangerous facilities should be left in national hands and be inspected from time to time.

(3) *Research*: The majority declare that positive research and developmental responsibilities for all dangerous activity should be assigned exclusively to the international agency and that atomic research on non-dangerous activities may be carried on in national States subject to licensing by the international agency. While the Soviet Union agrees in principle that the international agency would itself conduct research and development activities, the Soviet Union would permit national research and development of a dangerous character to be carried on by national States. In addition, the Soviet Union would make no provision for the control of national research or development activities of a non-dangerous character.

(4) *Inspection*: While it is generally agreed that there should be some system of international inspection, the majority have concluded that there must be comprehensive inspection, particularly in unreported areas where clandestine activities might be carried on. The minority considers that inspection should be limited to those atomic facilities reported by States; inspection as to clandestine or unreported facilities is virtually ignored.

(5) *Elimination of Atomic Weapons from National Armaments*: While it is generally agreed that atomic weapons must be eliminated from national armaments, the majority have concluded that such elimination should come at that stage in the development of the international control system which would clearly signify to the world that the safeguards then in operation provided security for all participating States. The Soviet Union, on the other hand, has insisted that atomic weapons be destroyed at once and that international control including safeguards should be worked out and established later.

(6) *Enforcement*: It is generally agreed that violators of the atomic treaty should be punished. The majority, however, consider that punishment of treaty violations must be swift and certain, and that there must be no procedure, including the "veto", which would protect a violator of the atomic treaty from the consequences of violation. The Soviet Union insists, however, that all questions of enforcement must

come within the established competence of the Security Council and that all decisions on enforcement must be made in conformity with the rule of unanimity.

(*d*) In the Introduction to the Commission's Second Report, the majority of the Commission have stated the following conclusion regarding the Soviet proposals:

"Twenty-three committee meetings have been devoted to the consideration of the views of the Soviet Union, put forward either as amendments and additions to the First Report or as separate proposals submitted on 11 June. The discussion on the Soviet Union amendments, which is summarized in part III of this Report, has not led the Commission to revise the General Findings and Recommendations of the First Report. The discussion on the Soviet Union proposal of 11 June, which is summarized in part IV, has led to the conclusion that 'these proposals as they now stand and the explanations given thereon do not provide an adequate basis for the development by the Committee of specific proposals for an effective system of international control of atomic energy'. It is evident, therefore, that these discussions have not led to a reconciliation of the views of the Soviet Union with those of the majority of the Commission on major points of principle."

#### 10. PRESENT STATUS OF NEGOTIATIONS IN THE UNITED NATIONS ATOMIC ENERGY COMMISSION

(*a*) At the present time, the Working Committee of the Atomic Energy Commission is continuing its consideration of the Soviet Union's proposals of June 11, 1946. The discussion is currently concerned with certain questions relating to the Soviet position submitted by the Representative of the United Kingdom on August 11, 1946, and the Soviet Representative's answers thereto.<sup>9</sup>

(*b*) Committee 2 has commenced consideration of the problem of organizational structure of the proposed international agency (Item

<sup>9</sup> On April 5, 1948, the Working Committee adopted a report containing the following resolution on the Soviet proposals:

"The Working Committee, having examined in detail and as a whole the Soviet proposals of 11 June 1947 and the elaborations thereon, and in view of the conclusions set out in the preceding paragraphs,

Finds that the Soviet Union proposals ignore the existing technical knowledge of the problem of atomic energy control, do not provide an adequate basis for the effective international control of atomic energy and the elimination from national armaments of atomic weapons, and therefore, do not conform to the terms of reference of the Atomic Energy Commission.

The Working Committee concludes that no useful purpose can be served by further discussion of these proposals in the Working Committee."

For the full text of the report, see *Documents on Disarmament 1945-1949*, vol. I, pp. 155-167.

For an account of the proceedings of the UNAEC and its committees from September 10, 1947, to May 17, 1948, see part II of the Commission's Third Report, May 17, 1948 (United Nations, *Official Records of the Atomic Energy Commission, Third Year, Special Supplement, The Third Report of the Atomic Energy Commission to the Security Council, May 17, 1948*—hereafter cited as AEC, 3rd yr., Special Suppl.; or Department of State Publication 3179 (July 1948).



A, 3(a) of the Commission's "Summary of Principal Subjects", Annex A of this Appendix.<sup>10</sup>) To date, the Committee has confined its attention to the subject of the agency's board of directors. No additional items of work are presently scheduled.

#### 11. PROSPECTIVE WORK OF THE UNITED NATIONS ATOMIC ENERGY COMMISSION

(a) The General Assembly Resolution of January 24, 1946, which established the Atomic Energy Commission "to deal with the problems raised by the discovery of atomic energy and other related matters," directed the Commission in Section 5 to "proceed with the utmost despatch and enquire into all phases of the problem, and make such recommendations from time to time with respect to them as it finds possible." The Resolution also stated that the work of the Commission "should proceed by separate stages, the successful completion of each of which will develop the necessary confidence of the world before the next stage is undertaken."

(b) On December 14, 1946, the General Assembly approved unanimously a Resolution on "Principles Governing the General Regulation and Reduction of Armaments", which, in Section 3, urged "the expeditious fulfillment by the Atomic Energy Commission of its terms of reference as set forth in Section 5 of the General Assembly Resolution of January 24, 1946," and recommended "that the Security Council expedite consideration of the reports which the Atomic Energy Commission will make to the Security Council and that it facilitate the work of that Commission, and also that the Security Council expedite consideration of a draft convention or conventions for the creation of an international system of control and inspection, these conventions to include the prohibition of atomic and all other major weapons adaptable now and in the future to mass destruction and the control of atomic energy to the extent necessary to ensure its use only for peaceful purposes."<sup>11</sup>

(c) The letter of transmittal to the Security Council covering the First Report of the Commission stated that the Commission would proceed to the further study of certain topics noted in Part I of the Report and other matters contained in its terms of reference "with a view to making the specific proposals set forth in the Resolution of the General Assembly of January 24, 1946, and reaffirmed in the Resolution of the General Assembly of December 14, 1946." The additional topics were listed in Part I as follows: "The detailed powers, characteristics, and functions of the international control agency for

<sup>10</sup> Annex A is not reproduced; for text of the "Summary of Principal Subjects," see AEC, *2nd yr., Special Suppl.*, pp. 6-8.

<sup>11</sup> For full text, see *Foreign Relations*, 1946, vol. I, pp. 1099-1102.



which the need is expressed in the 'First Report on Safeguards Required to Ensure the Use of Atomic Energy Only for Peaceful Purposes', including such matters as organization, financing, and staffing; the relationships between the agency, the various organs of the United Nations, and the participating States; powers of the agency in matters of research, development, and planning; the provisions for transition to the full operation of the international system of control; and other specific matters which should be included in the international treaty or convention establishing control over atomic energy."

(d) On March 10, 1947, the Security Council adopted a Resolution transmitting to the Commission the record of its consideration of the Commission's First Report and urging the Commission "in accordance with the General Assembly resolutions of 24 January and 14 December 1946, to continue its inquiry into all phases of the problem of international control of atomic energy and to develop as promptly as possible the specific proposals called for by Section 5 of the General Assembly resolution of 24 January 1946 and by the resolution of the General Assembly of 14 December 1946 and in due course to prepare and submit to the Security Council a draft treaty or treaties or convention or conventions incorporating its ultimate proposals; . . ." <sup>12</sup>

(e) The letter of transmittal accompanying the Second Report signed by the Canadian Representative stated:

"In continuing its task the Commission intends to proceed with the study of the topics noted in the Introduction to the Report and other matters within its terms of reference, with a view to making the specific proposals required by the resolutions of the General Assembly of 24 January and of 14 December 1946 and to preparing for submission to the Security Council, in due course, a draft treaty or convention incorporating its ultimate proposals."

(f) The Introduction to the Commission's Second Report stated that the Commission, in drafting the specific proposals set forth therein, had been guided by the "Summary of Principal Subjects" included in Part I of the Report. (See Annex A to this Appendix.) The Introduction went on to say:

"In addition to the functions and powers of the international agency, there are other important matters listed for discussion. These are the organization and administration of the agency, geographical location of dangerous activities and stockpiling, financial and budgetary organization, prohibitions and enforcement, and the stages of transition from the present situation to a system of international control. These are subjects which, in the opinion of the majority of the Commission, for the most part, can be discussed effectively only in the

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<sup>12</sup> For full text, see United Nations, *Official Records of the Security Council, Second Year, No. 24*, pp. 487-488.

framework of conclusions reached with regard to the functions and powers of the international agency. Further work of the Commission on these matters will be based on the specific proposals of this Report and on the First Report.

"It is evident that, until unanimous agreement is reached on the functions and powers of the international agency, there will be limitations on the extent to which proposals on other topics in the Summary of Principal Subjects can be worked out in detail. Clearly, much remains to be done before the final terms of a treaty or convention can be drafted. The Commission intends to proceed with the remaining topics in the summary and, at the same time, will continue its endeavors to clarify and resolve, where possible, the existing points of disagreement."

## 12. U.S. POSITION WITH RESPECT TO THE ATOMIC ENERGY COMMISSION'S FUTURE WORK

(a) The U.S. joined with the majority of the Commission Members in approving the statements in the First and Second Reports, referred to above, relating to the prospective work of the Commission.

(b) The Secretaries of State, War and Navy, on September 11, 1947, took the following decision: "B. It was also the sense of the discussions that the United States should take no initiative at this juncture in the United Nations Atomic Energy Commission in the Security Council or in the General Assembly to terminate negotiations looking toward international control of atomic energy".

(c) In his address to the General Assembly of the United Nations on September 17, 1947, Secretary Marshall stated:

"Since the United States realizes fully the consequences of failure to attain effective international control, we shall continue our efforts in the Atomic Energy Commission to carry forward our work along the lines of the majority views. We must state frankly, however, that in the absence of unanimous agreement on the essential functions and powers which the majority has concluded must be given to the international agency, there will necessarily be limitations on the extent to which the remaining aspects of the problem can be worked out in detail. If the minority persists in refusing to join with the majority, the Atomic Energy Commission may soon be faced with the conclusion that it is unable to complete the task assigned it under its terms of reference laid down in the General Assembly Resolution of January 24, 1946."<sup>13</sup>

(d) On December 9, 1947, the Executive Committee on the Regulation of Armaments agreed:

### "2. U.S. Role in Committee 1 of the UNAEC

1. *Action:* THE COMMITTEE AGREED that when the AEC resumes its meetings the U.S. by its activities in Committee 1 should

<sup>13</sup> For full text, see United Nations, *Official Records of the General Assembly, Second Session, Plenary Meetings*, pp. 19 ff.



focus public attention on the inadequacy of the Soviet proposals and on the wide divergencies separating the majority and the minority on the elements of an international control system.

### *"3. Work of Committee 2 of UNAEC*

1. *Action:* THE COMMITTEE AGREED that the organization and staffing paper (RAC D-20/17)<sup>14</sup> prepared in USUN should be studied by the Executive Committee prior to a decision by this Government as to the scope of the discussion in Committee 2. In the meantime the present informal method of developing proposals on "Organizational Structure" (item A-3(a)) should be continued, it being understood

(a) that this would not lead to discussion by the Atomic Energy Commission of the other matters on the subject list and

(b) that nothing would be reported to Committee 2 which would occasion a reservation on the part of any of the majority group.

It was further understood that Mr. Osborn might at a later date reopen with the Executive Committee the question of the discussion in the Atomic Energy Commission of the balance of the topics on the subject list."

## Appendix B

### DISCUSSION

#### SUSPENSION OF WORK OF ATOMIC ENERGY COMMISSION

13. Had there been an early meeting of minds on any point between the Soviets and the majority, or had the course of Western-Soviet relations in the last two years developed any cause for mutual confidence, it would have been possible before now for the United States to have entertained some definite proposals for negotiating a phasing plan, or even a plan for strategic location of dangerous activities. The task has now been rendered practically impossible as the disagreement has crystallized and as Soviet-U.S. relations have deteriorated across the board.

14. In the course of nearly two years of negotiation and study the Governments of a majority of the Commission have agreed on the principles essential to any fully effective system of international control of atomic energy. The Commission has been unable to secure the agreements of the Soviet Union to even the essential elements of such a system. The Commission has not found any willingness on the part of the Soviet Union to accept the nature and extent of participation in the world community required of all nations in this field by the First and Second Reports of the Atomic Energy Commission. In this situation no useful purpose can be served by carrying on negotiations at the Commission level. The failure to achieve agreement on the international control of atomic energy arises from a situation that is beyond the competence of the Commission.

<sup>14</sup> Not printed.



## A THIRD REPORT OF ATOMIC ENERGY COMMISSION

15. A Third Report of the Atomic Energy Commission to the Security Council written in simple, brief, and understandable terms, and encompassing the entire work of the Atomic Energy Commission, would be extremely useful to the majority in debating the atomic energy question in the Security Council and in the General Assembly.

16. The report should contain a conclusion along the lines set forth in paragraph 14 above and should recommend that until such time as the General Assembly finds that the situation referred to in paragraph 14 no longer exists, or until such time as the sponsors of the General Assembly resolution of January 24, 1946 who are the permanent members of the Atomic Energy Commission (Canada, China, France, U.S.S.R., United Kingdom and United States) find, through prior consultation, that there exists a basis for agreement on the international control of atomic energy, negotiations in the Atomic Energy Commission should be suspended.

## SECURITY COUNCIL AND GENERAL ASSEMBLY CONSIDERATION

17. The Security Council and the General Assembly should consider the question of atomic energy, because

(a) The agreement of 13 states which are or have been members of the Atomic Energy Commission to the First and Second Reports of the Commission constitutes the most advanced step toward the establishment of a strong international organization yet made. Security Council and General Assembly approval of the First and Second Reports of AEC therefore, are of greatest importance.

(b) Security Council and General Assembly debate would constitute one of the best means of making the American people and all the other members of the United Nations understand clearly the nature of the problem of control and the extreme gravity to the world of Soviet resistance to an effective system of control.

(c) The Atomic Energy Commission is a creature of the General Assembly. After United Nations Atomic Energy Commission's two years unsuccessful attempt to obtain Soviet agreement it is entirely appropriate for the General Assembly to consider the matter again. Furthermore, the recommendation in paragraph 16, being in effect a modification of the Commission's terms of reference contained in the General Assembly Resolution of January 24, 1946, the General Assembly, itself must approve it before it can go into effect.

(d) Failure to submit the majority proposals to the examination of the next regular General Assembly would give credence to a Soviet charge that we were unwilling to put our case before world opinion; it would put in question the sincerity of the United States and the other nations of the majority; and it would favor Soviet delaying tactics through another year of debate.

18. Subject to developments of overriding importance with respect to the General Assembly, the United States goal in the Assembly debate

should be to get on record by as large a majority as possible approval for the majority reports, and rejection of the Soviet Union proposals.

19. The Third Report should recommend to the Security Council that it transmit the Third Report along with the two previous reports of the Commission, to the next regular session of the General Assembly as a matter of special concern.

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Department of State Atomic Energy Files

*Memorandum by Mr. Edmund A. Gullion to the Under Secretary of State (Lovett)*<sup>1</sup>

TOP SECRET

[WASHINGTON,] April 21, 1948.

MR. LOVETT—I learn from New York that the Canadian Ambassador will probably tell you that his Government does not believe that the United Nations Atomic Energy Commission's Third Report should include in it a specific recommendation that the Report be considered by the General Assembly. Their view is that it is not necessary so long ahead of time to announce our intention to go before the Assembly. All the other nations on the Commission agree with Osborn that consideration by the Assembly is imperative, and that the report should indicate this intention.

I imagine that there is somewhere in the Canadian Department of External Affairs the same reluctance to face up to the impasse as you have encountered here and there in this Department. The provision for reference to the Assembly has come to be the test of a firm intention to bring an end to the filibuster. Those who do not wish to suspend talk are reluctant to go on record in favor of Assembly consideration. There is a Micawberish hope that something will turn up.

The arguments for Assembly consideration are well known to you and I need not review them here. The need for spelling out the intention to go before the Assembly can be summarized briefly:

1. Unless we really declare ourselves now, there is a possibility that the Security Council could merely hand the case back to the UN [AEC] and the filibuster will continue.

2. If we do not declare ourselves for Assembly consideration, *on the terms of the majority report*, the Soviet Union will grasp the tactical opportunity and may propose Assembly consideration on grounds chosen by it.

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<sup>1</sup> This memorandum was drafted in connection with Lovett's impending conversation with Canadian Ambassador Humphrey Hume Wrong.



3. The Third Report <sup>2</sup> contains a "formula" for reopening the door in the case that the Soviet Union should change its attitude. This formula, you will recall, provides that discussions might be resumed only if the General Assembly should determine that the impasse created by the Soviet attitude no longer exists, or if *all* the sponsoring nations of the General Assembly disarmament resolutions should agree to resume discussions. The formula is in itself some change in the terms of reference given the Commission by the Assembly. Therefore, this matter should be approved by the Assembly itself.

4. Prior to the General Assembly debate the attention of the states members of the Assembly must be focused on the issues and their support marshalled behind the majority position. This can only be done if we say now that we intend to go before the Assembly. As it is, the months between now and September are few enough in which to accomplish intensive diplomatic preparation for the Assembly debate.<sup>3</sup>

5. This Third Report must have something definitive about it which will set it apart from the two reports rendered heretofore, which have been interim in character and have somehow failed to bring before world opinion the nature of the impasse; they were addressed only to the Security Council. The best way in which this can be done is for the Commission, a creature of the Assembly, to report that as an expert body it has been unable to make any progress and, therefore, returns the whole case to the Assembly where the reasons for this state of affairs can be adequately assessed and understood.

EDMUND A. GULLION

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<sup>2</sup>Reference is to a draft report which was approved in substantially the same form by the UNAEC as its Third Report (AEC, *3rd yr., Special Suppl.*), or Department of State Publication 3179 (July 1948).

Following the adoption by the Working Committee of its report on April 5 (see footnote 9, p. 329) the delegations of the United States, the United Kingdom, and France prepared a draft Third Report of the UNAEC, on the basis of instructions sympathetic to their position. Osborn submitted a version of the report to Washington on April 15. Comments on that document by the Executive Committee on Regulation of Armaments were transmitted to the United States Mission at the United Nations in telegram 230 to New York, April 19, not printed. (501.BC Atomic/4-1948)

On April 23, Lovett briefed the President and the Cabinet on the contemplated Third Report. His minutes of the meeting include the following: "I reported on the work of the United Nations Atomic Energy Commission and gave the cabinet the detail regarding the third report of the AEC in which the experts proposed to report to the General Assembly that they have been unable to make any real progress toward international control in spite of holding well over 200 meetings on the subject." (Department of State Atomic Energy Files)

<sup>3</sup>In transmitting this memorandum to Arneson on April 23, Gullion stated that Lovett had reported that the Canadian Ambassador had been particularly impressed by item 4 and thought that the Canadian Government would go along (Department of State Atomic Energy Files).



Policy Planning Staff Files <sup>1</sup>

*Policy Problem Statement Prepared in the Office of United Nations Affairs* <sup>2</sup>

SECRET

[WASHINGTON,] April 26, 1948.

PROVISION OF ARMED FORCES FOR USE BY THE SECURITY COUNCIL

PROBLEM

To bring about the early conclusion of agreements under Article 43 of the United Nations Charter making armed forces, assistance, and facilities available to the Security Council.

BACKGROUND

On February 16, 1946, the Security Council directed the Military Staff Committee to examine Article 43 from the military point of view and report on it "in due course." The dilatory and obstructive tactics of the Soviet delegation made progress very slow until the early part of 1947.

On December 14, 1946, the General Assembly recommended that the Council "accelerate as much as possible" the conclusion of agreements under Article 43. On February 13, 1947, the Council requested the Military Staff Committee to submit not later than April 30, 1947, "its recommendations with regard to the basic principles which should govern the organization of the United Nations Armed Force." The outcome was a report <sup>3</sup> revealing important differences (more fully described in the attached Appendix) <sup>4</sup> between the views of the US, UK, France, and China and those of the USSR on 1) the principle which should govern the strength and composition of the forces made available to the Council on call by each permanent member, 2) the areas within which forces made available should remain when not employed by the Council, 3) the arrangements governing the return

<sup>1</sup> Lot 64D563, files of the Policy Planning Staff of the Department of State, 1947-1953.

<sup>2</sup> This statement was placed in the Secretary of State's "Policy Problem Summary," a frequently updated briefing book. In a memorandum to Dean Rusk, Director of the Office of United Nations Affairs, May 6, 1948, Carlisle H. Humelsine, the Director of the Executive Secretariat, stated that after reading the present statement the Secretary of State had made the following comment: "I am in more doubt about the logic or justification of the U.S. attitude in this matter of armed forces than on any other question concerned with the UN at this time. For me it needs a great deal of clarification." (Policy Planning Staff Files)

<sup>3</sup> For the text of the Report by the Military Staff Committee to the Security Council, April 30, 1947, see United Nations, *Official Records of the Security Council, Second Year, Special Supplement No. 1*, or Department of State *Bulletin*, August 3, 1947, Supplement, "Arming the United Nations," pp. 247-273.

<sup>4</sup> Not printed.

of the forces to these areas after carrying out any task assigned to them by the Council, and 4) the question of whether or not bases are embraced in the "assistance and facilities" mentioned in Article 43.

The Security Council considered this report at eleven meetings held from June 4 to July 15, 1947. No apparent progress was made toward the resolution of the divergences of view; the Soviet representative plainly indicated that the USSR does not intend to modify its views and that it considers acceptance of its version of each of the disputed principles to be a prerequisite to the negotiation of agreements under Article 43.

On December 15, 1947, a subcommittee submitted to the Military Staff Committee a report on the overall strength and the composition of forces which should be made available to the Security Council on its call. On land forces the tentative estimates of the five delegations given in this report are substantially in agreement. On naval forces, there is a considerable area of agreement with three important exceptions: the USSR will not agree to the inclusion of battleships or aircraft carriers; the US estimate of submarines is considerably higher than the agreed estimates of the other four; and with respect to the number of divisions for which assault shipping should be made available, the US, France and China are close to agreement, whereas the Soviet Union considers that none should be made available, and the UK considers it premature to discuss the question. On aircraft the permanent members other than the US are close to agreement; and the US, whose original figures were over three times those of the others, has indicated its willingness to reduce its figures to approximately twice those of the others in order to reach agreement. The Military Staff Committee is now considering the subcommittee report.

#### ACTION TAKEN

The Policy Planning Staff has been asked to consider, with the assistance of UNA and the geographic offices, whether the US should offer to make specific armed forces, assistance, and facilities available to the Security Council pursuant to Article 43, and if so under what circumstances and after what preparatory steps;<sup>5</sup> and SANACC has been asked 1) to determine what forces, assistance, and facilities the US should make available to the Council and on what terms, and 2) to approve the conclusion that an offer of such forces, assistance and facilities should be made if and when the Secretary of State considers it desirable to do so, after consultation with other per-

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<sup>5</sup> See PPS/34, June 29, p. 359.



manent members of the Security Council and study by the Department of the political implications.<sup>6</sup>

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<sup>6</sup> In a memorandum of January 22, 1948, to the Under Secretary of State, the Counselor, and the State Member on the State-Army-Navy-Air Force Coordinating Committee (SANACC), Rusk had urged that this proposal be given consideration (501/1-2248). SANACC 219/18, April 21, 1948, not printed, "Implementation of Article 43 of the United Nations Charter," a study presented to SANACC by the State Member, also included the recommendation that the question of a United States offer of forces be examined. The Committee referred SANACC 219/18 to its *ad hoc* Committee to Effect Collaboration Between the State, Army, Navy, and Air Force Departments on Security Functions of the United Nations for study and recommendation. However, SANACC took no final action on the paper prior to its dissolution in 1949. (SANACC Files)

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Policy Planning Staff Files

*Memorandum by the Director of the Policy Planning Staff (Kennan)  
to the Secretary of State and the Under Secretary of State (Lovett)*

TOP SECRET

[WASHINGTON,] May 7, 1948.

PPS/29

I have just seen the final draft of Senator Vandenberg's proposed Senate Resolution on international peace and security matters.<sup>1</sup>

I think it regrettable that paragraph (5) has been included.<sup>2</sup>

The Planning Staff is about to recommend that this Government make no independent move to place at the disposal of the Security Council forces under Article 43.<sup>3</sup> We are unable to see what practical purpose this could serve; and it is our view that it is unprofitable for this Government in the long run to strike attitudes, for the sake of appearing virtuous, when there is no intrinsic consideration of national interest involved. The real problems of world security at this juncture are plainly the ones created by the policies of the Soviet Union itself. The Security Council is generally powerless to act in these matters; and even if it were able to take decisions, no forces which might be placed at its disposal in present conditions could conceivably be great enough to enable it to enforce its decisions against the will of the Soviet Union.

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<sup>1</sup> Reference is to the version of the "Vandenberg Resolution" approved by the President on May 7, 1948; for text, see vol. III, p. 118. For additional documentation on the preparation of the resolution, see *ibid.*, pp. 1-351 ff., *passim*. For text of the resolution, very nearly identical to the May 7 text, reported by Senator Vandenberg in the Senate on May 19 and passed by the Senate on June 11, as Senate Resolution 239, 80th Cong., see footnote 7, p. 25.

<sup>2</sup> Paragraph (5) indicated that the Senate reaffirmed the policy of the United States to expend "Maximum efforts to provide the United Nations with armed forces as contemplated by the Charter, and to obtain agreement among member nations upon universal regulation and reduction of armaments under adequate and dependable guarantees against violation." Senate Resolution 239 contained substantially the same provision.

<sup>3</sup> See PPS/34, June 29, p. 359.



As for disarmament, we consider it useless and misleading to speak of the regulation and reduction of armaments before peace treaties have been concluded to liquidate the recent war and before there has been a general and adequate relaxation of tension between the Soviet Union and the western world.

If a favorable opportunity should present itself, I would still urge that an effort be made to induce the Senator to omit or modify this passage. The phrase about disarmament, for example, could be modified by the words: "as soon as the world situation permits."

There are other points in the language of the resolution which I would have wished could have been omitted; but I assume that Senator Vandenberg is already so deeply committed to most of these formulae that there is no use in trying to get him to depart from them.

GEORGE F. KENNAN

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Department of State Atomic Energy Files

*Memorandum of Telephone Conversation, by Mr. Edmund A. Gullion,  
Special Assistant to the Under Secretary of State (Lovett)*

[WASHINGTON,] May 12, 1948.

Mr. Osborn called to ask me to advise you that the next meeting of the UNAEC to consider and vote on the Third Report, proposed by the French, U.S. and U.K. delegations, would be on Monday, May 17.<sup>1</sup> He said that he was gratified that a decision on the form of the Third Report had been taken, and that the adherence of the majority members had been assured before the recent publication of the U.S.-Soviet notes,<sup>2</sup> because the latter might have blurred the issue. He said that he anticipated that Mr. Gromyko would attempt to draw some advantage from the fact that this Government had not yet stated whether it was for ultimate "destruction" or "disposal of" atomic weapons under the majority plan.

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<sup>1</sup> At the 15th Meeting of the United Nations Atomic Energy Commission, May 7, François de Rose of the French Delegation, on behalf of the United States, United Kingdom, and France, presented the draft report prepared by the delegations of the three nations (see footnote 2, p. 336). He also circulated "A Summary of the Majority Plan of Control" which became Annex 2 to the report. The tripartite statement was adopted by the Commission at its 16th Meeting, May 17, by a vote of 9 to 2 (the Soviet Union and the Ukraine). It formed the substance of the Third Report of the UNAEC to the Security Council (AEC, 3rd yr., *Special Suppl.*, or Department of State Publication 3179 (July 1948)).

<sup>2</sup> For documentation on the conversations between Walter Bedell Smith, United States Ambassador in the Soviet Union, and Soviet Foreign Minister Vyacheslav Mikhailovich Molotov, see vol. iv, pp. 845-871, *passim*. For texts of notes they exchanged, May 4 and 9, released to the press on May 11, see Department of State *Bulletin*, May 23, 1948, pp. 679-683.

I said that we were working on a position statement, based on the Joint Chiefs of Staff's position of July 23, 1947, "that they saw no objection, after successful establishment by treaty or convention, of control agreement embodying the plans of the U.S. (Baruch plan) proposal for the control of atomic energy, and after adequate demonstration of the plan's effectiveness, to the disposal of existing atomic weapons by any means, *including destruction*, which may be agreed upon at that time."<sup>3</sup>

Mr. Osborn said that he thought the statement ought to make clear that the word "destruction" was relatively meaningless if it were meant only to apply to weapons and not to the nuclear fuel contained therein, and that when the matter was last discussed in the UNAEC in July 1947 several nations, including Canada, thought that the nuclear fuel ought not to be destroyed.

I told Mr. Osborn that in his forthcoming press conference, the Secretary might refer inquiries on the future course of UNAEC to Mr. Osborn. Mr. Osborn said that he would be prepared and would welcome such an opportunity, and that if the question were asked as to what next steps were contemplated he would say that if the minority showed a readiness to moderate its resistance to the majority plan, this would be an example of the state of affairs which would be necessary to warrant resumption.

He also indicated that for his part he would like to say that such a move by the Soviets would be one indication of a genuine desire to improve relations with the United States. (The Secretary was not questioned on this matter; I believe that we can safely use the Atomic Energy Commission as an example of what the Secretary described "as fields when action is possible and urgently necessary at the present time . . . matters before the Security Council, etc."<sup>4</sup>)

I cited the remote possibility that Gromyko might choose this moment to announce some real or pertinent concession to the majority views. Mr. Osborn said that if this were done he would refer to the two years in which the Soviet had had an opportunity to make some offer and state that the Russians would have ample opportunity to present it, and the nations to consider it, in the Security Council debate which was coming up. I observed that if, in the unlikely event that Gromyko should offer anything which, in Mr. Osborn's judgment, was really a concession, the latter would, no doubt, consider with the majority whether the vote on the Third Report should be postponed.

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<sup>3</sup> With respect to the position here cited, see Rusk's memorandum to the Secretary of State, July 24, 1947, *Foreign Relations*, 1947, vol. I, p. 572.

<sup>4</sup> This quotation is taken from the Secretary of State's press and radio news conference of May 12 which was devoted to discussion of Soviet-American relations.



Department of State Disarmament Files

*Memorandum of Conversation, by Mr. Donald C. Blaisdell, Special Assistant to the Director of the Office of United Nations Affairs (Rusk)*

SECRET

[WASHINGTON,] May 18, 1948.

Subject: Suspension of the Work of the United Nations Atomic Energy Commission, Commission for Conventional Armaments, and the Military Staff Committee

Participants: Mr. D. D. Maclean, British Embassy <sup>1</sup>  
Mr. J. N. Henderson, British Embassy <sup>2</sup>  
Mr. Gullion, Department of State  
Mr. Elliott, Department of State  
Mr. Leith, Department of State  
Mr. Blaisdell, Department of State

At their request, Messrs. Maclean and Henderson of the British Embassy called on me this morning and left the attached *Aide-Mémoire* (595/-/48, dated May 18, 1948). I asked Messrs. Gullion, Elliott and Leith to be present at the meeting.

Upon finishing a reading of the attached *Aide-Mémoire*, I asked Mr. Gullion if he felt he wished to make any comments or any observations at the present time. I said that so far as I was concerned I would wish to have an opportunity to re-read the *Aide-Mémoire* and reflect upon it before making any comment. Mr. Gullion remarked that he too thought that the matter raised by the *Aide-Mémoire* should be thoroughly "ingested" in the Department before any reaction was forthcoming.

Mr. Elliott asked if a similar *Aide-Mémoire* were being left with governments of the other members of the Atomic Energy Commission majority. Mr. Maclean replied that only the French Government was being approached.

Before concluding the discussion, Mr. Gullion inquired whether either Mr. Maclean or Mr. Henderson was familiar with the study program which the Foreign Office may be undertaking with respect to international atomic energy control. Mr. Maclean replied that he was familiar only in a general way; that the British Government would be reviewing the situation before the next session of the General Assembly. At this point Mr. Henderson interjected a comment that he was not clear whether paragraph 7 of the *Aide-Mémoire* referred to a survey by the British Government alone or by the British

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<sup>1</sup> Donald D. Maclean, Acting First Secretary, British Embassy.

<sup>2</sup> John N. Henderson, Second Secretary, British Embassy.



and United States Governments. He said he was inclined to the latter interpretation.

I said that the Department would give this prompt attention and that we would be in touch with the British Embassy when we were prepared to comment.

DONALD C. BLAISDELL

[Annex]

AIDE-MÉMOIRE <sup>3</sup>

The British Foreign Secretary has been reviewing the stage now reached in the work of the Atomic Energy Commission, the Commission for Conventional Armaments, and of the Military Staff Committee on the agreements prescribed in Article 43 of the United Nations Charter.

2. As the United States Government is aware, the Atomic Energy Commission is now considering a report to be made to the Security Council to the general effect that no further progress in its present task can be achieved without an improvement in the international situation and recommending that the matter be brought to the attention of the General Assembly (the Commission's Parent Body).

3. The United States Government will be aware that in existing circumstances no real progress is likely to be achieved in their allotted tasks either by (a) the Commission for Conventional Armaments or by (b) the Military Staff Committee. As to (a) it appears highly improbable that the Commission will agree on a report on the basic principles on which a system of disarmament should be reached, failing which there seems no use in taking up further items in the Commission's plan of work. As to (b) the Military Staff Committee has failed to reach agreement on several of the most important of the general principles which it has formulated as requiring agreement before the individual agreements between members of the United Nations and the Security Council postulated in Article 43 can be drawn up. Its report has for several months been before the Security Council which has made little progress and shows no signs of making more. Discussion in the Committee on the strength of the proposed security forces has also failed to produce agreement and can hardly be usefully prolonged.

4. Mr. Bevin <sup>4</sup> considers that if these three bodies, in the circumstances described above, merely go on in their present grooves, not only

<sup>3</sup> In an *aide-mémoire* to the British Embassy, May 25, the Department of State acknowledged receipt of the present document and requested information on the nature of the action which the British Government would hope the General Assembly would take regarding the subjects under reference (501.BC/5-1848).

<sup>4</sup> Ernest Bevin, British Secretary of State for Foreign Affairs.

can no useful result be achieved, but the United Nations will be discredited and the all-important issues at stake will become befogged and belittled with very serious results. Mr. Bevin thinks therefore the time has come when there ought to be a breathing space as regards work in all three fields, and with this aim he proposes the following procedure.

5. During the next few weeks the work of the three bodies on the tasks at present before them shall be allowed to come independently to a standstill. The Security Council should receive successively reports from the three bodies announcing the view of the majority that no further progress can be made, and should thereupon direct those bodies to suspend the work on which they are engaged. There would of course (Mr. Bevin is particularly anxious to make this clear) be no question of suspending the three bodies themselves. It could be recommended that the Security Council report the situation to the next ordinary session of the General Assembly as a matter of special concern.

6. In the Security Council Mr. Bevin would propose to instruct Sir A. Cadogan to make it clear that His Majesty's Government remain most anxious to see progress made on these vital questions of atomic energy, disarmament and security, and that this desire is not diminished by their belief that the present discussions cannot usefully be continued and should therefore be suspended.

7. His Majesty's Government would then be prepared for a major discussion of the issues involved at the General Assembly next autumn and in the meantime they would carefully survey their policy in all three fields with the aim of trying to give a fresh start to the work if conditions at the time of the Assembly permit.

8. His Majesty's Government must of course be ready to counter vigorously accusations by the Soviet Government that the machinery as well as the atmosphere of peace is being destroyed by an organized conspiracy. His Majesty's Government's general line on this might be, as stated above, that they are most anxious to make progress, that no one disputes the right of the Soviet Government to their own views, but that they have so far shown themselves quite unwilling to try to adjust those views to the views of other governments.

9. Though not optimistic, Mr. Bevin thinks it is conceivable that the action proposed successively in the three fields in question may have some effect on the Russians in thinking over their policy during the intervening months before the General Assembly.

10. The British Embassy have been asked to put the foregoing views to the State Department and to express Mr. Bevin's hope that the State Department will agree to instruct the United States representative in the Security Council on the above lines.

WASHINGTON, May 18, 1948.



USUN Files <sup>1</sup>

*Memorandum by the Deputy United States Representative to the Commission for Conventional Armaments (Osborn) to the Director of the Office of United Nations Affairs (Rusk)*

CONFIDENTIAL

[NEW YORK,] May 20, 1948.

Subject: The question of the suspension of the C.C.A.

1. For planning purposes with respect to the future work of the Commission for Conventional Armaments, it is recognized that the following facts must be taken into account:

(a) The present policy of the United States Government with respect to the continuance of the C.C.A. is under review. Up to now it has been the announced United States policy to proceed with the approved plan of work in the order of the items given. Until the decision for or against suspension is made, it is important not to commit ourselves either way.

(b) The British Government in an *Aide-Mémoire* to the Department of State on May 18 has suggested that the three organs, the A.E.C., C.C.A. and M.S.C. each be allowed to bring its activities to a close before the fall session of the General Assembly on grounds that, owing to Soviet obstructionism, no useful purpose can for the present be served by continuance and suspension in all three might put sufficient pressure on the Soviets to cause them to change their tactics.

(c) On the other hand, the French and Canadian Governments favor continuance because they believe the advantages of such a course outweigh the disadvantages.

2. Without going into the merits of the case for and against continuance, I am suggesting a third possible course of action between these two alternatives which seems to me worth consideration by the Department in connection with its review of the problem. The proposed interim report of the C.C.A. to the Security Council might state that the C.C.A. is continuing its discussions of the remaining items of the plan of work as it has been instructed to do, but in view of the obstructive tactics of the Soviet Union, it must be recognized that it is likely such discussions will have little practical result. Such a statement would, on the one hand, avoid the disadvantage of suspension at this time, but, on the other hand, would achieve much of the objective of suspension as conceived by the British by calling attention to repetition in the C.C.A. of tactics employed by the Soviet in the U.N.A.E.C.

3. In a recent informal talk with Mr. Miles of the United Kingdom Delegation, I suggested that such a formula might be substituted for the United Kingdom proposal for adjournment of the C.C.A. and

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<sup>1</sup> Files of the United States Mission at the United Nations.



that it might attain the same end of serving notice on the Soviets that their tactics must be changed or the responsibility for failure in this organ would likewise be theirs. (The suggestion was, of course, made on an informal basis as my own impromptu suggestion which I have not yet discussed with my Government.) His immediate reaction was favorable although he wished to consider the matter further.

FREDERICK OSBORN

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501.BC Armaments/6-448: Telegram

*The Secretary of State to the United States Representative at the United Nations (Austin)*

CONFIDENTIAL

WASHINGTON, June 4, 1948—6 p. m.

361. For Osborn. In RAC meeting on May 24 it was agreed that present policy favoring continuance of CCA activities should not be changed.

It was also agreed that CCA should vote on Item 2 and submit a Report to the Security Council prior to the next regular session of the GA with a conclusion along the following lines:

In accordance with the Security Council's instructions the Commission will continue its discussion of the remaining items of the Plan of Work. However, the Commission feels obliged to inform the Council that the Soviet Union has been unable to agree with the majority on principles considered by the majority to be basic to the regulation of armaments. Until such agreement is obtained, it is unlikely that the Commission will be able to formulate plans for the establishment of a system for the regulation of armaments which will be generally acceptable.

MARSHALL

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501.BC Armaments/6-1048

*The Department of State to the British Embassy*

SECRET

WASHINGTON, June 10, 1948.

AIDE-MÉMOIRE

The Department of State refers to the *Aide-Mémoire* of the British Embassy dated May 18 (595/-/48) and the Department's acknowledgment of May 25<sup>1</sup> concerning the proposal of the British Government for a course of action to be taken in the United Nations with respect to atomic energy control, regulation of conventional armaments, and the agreements prescribed in Article 43 of the Charter.

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<sup>1</sup> See footnote 3, p. 343.

2. The Department is now in a position to give its views respecting a course of action to be followed in the Commission for Conventional Armaments.

3. While agreeing with the desirability of the objective stated in paragraph 9 of the British *Aide-Mémoire*, the Department does not share the view that steps should be taken to suspend the work of the Commission for Conventional Armaments prior to the next session of the General Assembly.

4. The Department agrees that the Commission for Conventional Armaments should report to the Security Council before the next session of the General Assembly. In view of paragraph 3 above, however, it is believed that such a report should be *interim* in character. It might state, *inter alia*, that in accordance with the Security Council's instructions the Commission will continue its discussions of the remaining items of the Plan of Work; that the majority of the members feel obliged to inform the Security Council that the Soviet Union has been unable to agree with the majority on principles considered by the majority to be basic to the regulation of armaments; and that until such agreement is obtained, it is unlikely that the Commission will be able to formulate plans for the establishment of a system for the regulation of armaments which will be generally acceptable. Such a statement would avoid possible disadvantages of suspension at this time, but nevertheless would achieve much of the objective of suspension as conceived by the British Government by calling attention to a repetition by the Soviet Union in the Commission for Conventional Armaments of the obstructive tactics it has employed in the United Nations Atomic Energy Commission.

5. The remaining questions raised by the United Kingdom in its note are still under consideration. The British Embassy will be advised as promptly as possible of the results of this consideration.

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501.BC Atomic/6-1148: Telegram

*The Secretary of State to the United States Representative at the United Nations (Austin)*

SECRET

WASHINGTON, June 11, 1948—9 a. m.

382. Following is the position to be followed by this Govt with respect to Third Report of UNAEC:<sup>1</sup>

1. In order that the SC record respecting its consideration of the Third Report of UNAEC may be completed sufficiently early to per-

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<sup>1</sup> The United Nations Atomic Energy Commission transmitted its Third Report to the Security Council on May 26. The Council considered it at its 318th, 321st, and 325th Meetings, June 11, 16, and 22. Philip C. Jessup, Deputy United States Representative, opened the discussion, commending the Commission for

Footnote continued on following page.

mit it to be used in preparatory steps taken for the GA debate, consideration of the Third Report by the SC should take place as early as possible. In view of fact that SC Chairmanship will be held by Ukraine in July and Soviet Union in August, it is desirable to have SC debate of Third Report completed before July.

2. Dept believes essential objectives of SC consideration of Third Report of UNAEC should be:

(a) By utilizing the SC most effectively to call the attention of the world to the soundness of the majority proposals and the refusal of the Soviet Union to accept the principles considered necessary by the majority, while at the same time laying bare the inadequacy of the Soviet proposals, thus laying the groundwork for an informed debate in the GA.

(b) To clarify the US position on atomic energy control for the benefit of the US public and of the UN members who are non-members of UNAEC.

(c) To ensure that SC fulfills its responsibilities with respect to a matter so importantly a factor in world security.

3. Pursuant to the above objectives it is believed that SC discussion should emphasize the following:

(a) Approval of the findings and recommendations of all three reports of UNAEC by the majority.

(b) Strong comments on the inadequacy of Soviet proposals.

(c) Request to the Soviet Union to reconsider its position.

(d) A re-affirmation of US position on international control.

4. In order that SC fulfill its responsibilities it is considered essential that an attempt be made for it to approve the findings and recommendations of the reports of the AEC. A resolution along the following lines would be appropriate:

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Footnote continued from preceding page.

having developed the majority plan of international control. He noted that the refusal of the Soviet Union to accept that plan was not due to the fact that the plan was ineffective but rather that it was regarded as an infringement of national sovereignty. On behalf of the United States, he then submitted a draft resolution very nearly identical with that contained in the present telegram. For text of Jessup's address and the United States resolution, see United Nations, *Official Records of the Security Council, Third Year, No. 83*, pp. 2-6, or Department of State *Bulletin*, June 20, 1948, pp. 798-799.

On June 22, the Council voted in favor of the resolution 9 to 2 (the Soviet Union and the Ukraine). Following that vote, which represented a veto by the Soviet Union, the Canadian Delegation introduced a resolution calling merely for the transmittal of the 1st, 2nd, and 3rd UNAEC Reports to the General Assembly. This resolution was adopted 9-0, the Soviet Union and the Ukraine abstaining.

For text of a statement by Frederick Osborn, Deputy United States Representative to the United Nations Atomic Energy Commission, commenting upon the action by the Security Council, released to the press on June 28, see Department of State *Bulletin*, July 4, 1948, pp. 14, 27.



*The Security Council:*

*Having Received and Examined* the First, the Second, and the Third Report of the UNAEC,

*Accepts* these Reports and,

*Approves* the General Findings (Part II C) and Recommendations (Part III) of the First Report, and the Specific Proposals of Part II of the Second Report as constituting the essential basis for establishing an effective system of international control of atomic energy in accordance with the terms of reference of the UNAEC,

*Approves* the "Report and Recommendations of the AEC" (Part I) of the Third Report of the UNAEC, and

*Directs* the SYG to transmit to the GA and to the members of the UN the First, Second and Third Reports of the UNAEC together with the record of SC deliberations on this matter.

5. In the unlikely event of an affirmative Soviet vote on this resolution, SC should adjourn its consideration pending further instructions.

6. In case of a veto by the Soviet Union, a member of the majority should then introduce a very short resolution directing the Secretary-General to transmit to the General Assembly and to the Members of the United Nations the First, Second and Third Reports of the Atomic Energy Commission.

7. With respect to voting procedure on the latter Resolution, the United States should contend that the Resolution is procedural and, therefore, cannot be vetoed, and in taking this position should note Para.14 (b) of Part II and Item 10 of Part III of the Preliminary Report of the Working Group of Sub-Committee 3 of the Interim Committee (UN Document A/AC.18/SC.3/5).<sup>2</sup>

The US or some other member of the Council, prior to a vote on the transmittal resolution, should state in the SC or advise the Representative of the Soviet Union that it will place the reports before the GA if the SC is frustrated in its efforts to do so and should refer to the GA Resolution of January 24, 1946 establishing the AEC as an indication of the GA intention that such reports should be placed before the GA and Members of the UN. If such a statement is made, it would be unnecessary to have a vote on the question of whether the decision is procedural or to support or challenge a presidential ruling concerning the effect either of the vote on the transmittal Resolution or on the preliminary question as to whether the decision is procedural. It might thus be possible to avoid a "double veto". In event of attempted "double veto" and ruling by President that negative vote of the Soviet Union does not defeat preliminary question, the US should abstain on a motion to sustain or reject President's ruling. US should not at this

<sup>2</sup> For documentation on Interim Committee consideration of the question of voting in the Security Council, see pp. 205 ff.

time vote in SC in manner in conflict with attitude expressed in Part II, Par. 2 of Four-Power Statement.<sup>3</sup>

8. Regarding preparation for an informed GA debate, the Dept plans the following steps:

(a) Technical discussions in New York with representatives of as many Govts as possible other than the Soviet Union and its satellites by the Dep US Rep on the UNAEC. These discussions should commence as soon as possible, and the Dept should be kept fully informed of progress and reactions.

(b) Political discussions in Washington with other UN members except the Soviet Government and its satellites. It is hoped that these discussions can be started during July. They will deal with overall prospective program and strategy for the GA including appropriate means of handling the atomic energy problem.

(c) Discussions with the FonOffs of member nations, except the Soviet Union and its satellites, according to instructions to be transmitted to US missions abroad.

MARSHALL

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<sup>3</sup> For text of the Statement by the Delegations of the Four Sponsoring Governments on Voting Procedure in the Security Council, issued on June 7, 1945, at the United Nations Conference on International Organization at San Francisco, see Department of State *Bulletin*, June 10, 1945, p. 1047; for documentation on the United Nations Conference, see *Foreign Relations*, 1945, volume I.

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501.BC/6-2148: Telegram

*The Acting United States Representative at the United Nations  
(Jessup) to the Secretary of State*

SECRET

NEW YORK, June 21, 1948—10:12 p. m.

798. Reurtel 384, June 11,<sup>1</sup> concerning Article 43 agreements we suggest following for Department's consideration in formulating policy regarding the political aspects of this problem.

1. UN Charter contemplated an organization equipped with armed forces adequate to enforce decisions of the SC in carrying out its primary responsibility for the maintenance of international peace and security. This fact was widely advertised during and after the Dumbarton Oaks and San Francisco Conferences as one of the most important characteristics of the new peace organization and as one of the most significant differences between it and the old League of Nations which had no forces at its disposal.

Three years having passed with no appreciable progress towards establishing these armed forces through conclusion of Article 43 agree-

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<sup>1</sup> Telegram 384, not printed, requested the opinion of the United States Mission as to whether some action with respect to provision of forces for use by the Security Council should be taken in the Security Council prior to the next session of the General Assembly (501.BC/6-1148).



ments, there is now widespread public opinion (a) that failure to conclude these agreements is one of the most serious weaknesses of the UN and (b) that among other measures contemplated to strengthen the UN steps should be taken to provide contemplated armed forces with minimum of delay. This public opinion is reflected, for example, in the recent Senate (Vandenberg) resolution<sup>2</sup> and the omnibus bill approved unanimously by the House Foreign Affairs Committee.<sup>3</sup>

2. The foregoing suggests that an effort should be made to strengthen the UN by establishing armed forces as contemplated in the Charter and to respond to public opinion in this regard. The objectives we have hitherto sought will be a fundamentally sound thesis in terms of establishing an effective international force as originally contemplated. Viewed in this light the creation of such a force would be designed to meet the double objective of contributing to an international sense of security and facilitating subsequent national limitation of armament.

3. It is not anticipated, however, that agreement will be reached with the Russians in any substantial way which would make possible the creation of such an effective international force in the immediately foreseeable future. On the contrary, as in the case of atomic energy, conventional armaments, and other matters, it is very doubtful if the Russians, despite their recent show of making concessions which are in fact not very substantial, would be willing to agree to the establishment of armed forces except on a basis falling short of what was contemplated in the Charter. An agreement on such basis, which might have plausible aspects, would be misleading and deceptive and thus give false assurances to the public.

4. Furthermore, given present status of Soviet relationships with the rest of the world, Department may have some doubts whether it would serve either our national interests or the interests of international peace and security to push forward to conclusion along lines hitherto followed the Article 43 agreements, thus raising the consequent risk of Soviet forces being used in certain areas of the world. Presumably, the US would not want to be in the position of using its veto to prevent the utilization of force in such areas because of an unwillingness to have Soviet forces participate.

5. Although, as indicated above, there is widespread public opinion feeling that some action should be taken to provide the UN with armed forces, there is not in our judgment at the present any indication of an

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<sup>2</sup> Senate Resolution 239, 80th Cong.; for text, see *A Decade of American Foreign Policy: Basic Documents, 1941-1949*, p. 197.

<sup>3</sup> Reference is to H.R. 6802, 80th Cong., "A Bill to Strengthen the United Nations and Promote International Cooperation for Peace"; for a description of this legislation and action thereon, see footnote 1, p. 8.



unusual degree of public pressure for action along the specific lines we have followed in the past.

6. From the point of view of considering possible action in the SC or in the GA this year on this subject, it seems necessary to contemplate the possibility of Soviet initiative in raising this issue. If the issue were publicly raised either on Soviet or on any other initiative it is believed that the US is in a position to make a good case. Our case would not be as strong as it is in connection with the report of the AEC where we are able to point to our complete agreement with the powers other than Russia. However, we can build strongly on our basic thesis that we have throughout contended for the establishment of a really effective international force while the Russians have consistently attempted to establish a small force which would be clearly ineffective. It is possible also for us in any public discussion of the MSC considerations of overall strength to point to the fact that we are in very close agreement with the UK, France and China on most items and that throughout we have made considerable concessions, whereas the Soviet Union is out of line with the other four powers in most categories and has throughout made practically no concessions. In particular the US, UK, France and China are in agreement on the basic principles reported by the MSC to the SC last summer. As we see it, the only weakness in our position from the point of view of public argument is that our estimates of necessary air strength while reduced from our original estimates by a thousand planes is still out of line with the UK, France and China. Those three powers have increased their figures in an attempt to meet ours but the disparity is still great. On the other hand, the Soviet Union has made no variation in its overall estimates although it has made a show of concessions through a redistribution in the various categories. It would undoubtedly strengthen our position if it were possible for us to revise our air estimates still further downward if by that means we would come closer to agreement with the UK, France and China. If it is assumed, as we believe it may properly be, that the establishment of an effective force is not likely, it can be argued that a variation from our position politically despite its fundamental soundness from the military point of view, would not be injurious. Accordingly, a revision downward of our air estimates could be balanced against the ensuing political advantage which would come from presenting a united front all along the line with the UK, France and China.

7. Unless as a considered policy decision it is determined to make some rather significant move in the field of the creation of a UN force along the lines originally contemplated, or unless such a decision is required for reasons of public policy, it would seem to be possible to

avoid any deviation from the present line of approach unless the matter is forced by the Soviet Union. If for any of the above reasons some action becomes necessary, it would be possible to resume in the SC the discussion of the basic principles, but in our opinion it would then be impossible to avoid a discussion of the estimates of overall strength. If it becomes necessary to discuss this matter, the US is in a fundamentally sound position from the point of view of public relations and discussions in the UN but could greatly strengthen that position if the air estimates could be reduced.

8. Holding to our original line of approach in this matter, as indicated in the preceding paragraph, may well not be adequate in the light of our own public opinion and opinion in the GA. For reasons indicated above, it would seem neither feasible nor realistic to deviate substantially from the objectives we have hitherto sought if we are seeking the creation of Article 43 forces as originally contemplated. However, in order to be in a position to deal in a positive and affirmative manner with this question in the GA should the necessity arise, we feel that it is important to develop positions with regard to the two alternatives set forth in the following paragraphs, namely, a UN token force and UN armed guards or a combination of both.

9. If a basic policy decision were reached that the participation of the Soviet Union in an international token force would not necessarily lead to undesirable consequences, or if an irresistible public opinion seemed to require some action even at the cost of undesirable Russian participation in certain areas, consideration might then be given to the possibility of the creation of a small symbolic force. Such a force would not be conceived or presented as one capable of really effective military action in many situations which might be conceived. Such a force, however, might, from the general point of view of support for SC action, be useful as, e.g., in supporting economic sanctions under Articles 41 and 42 or through providing sea and air patrols in support of blockade measures. The development of such an idea would need clearly to be based upon political rather than military considerations. From the technical point of view, agreement might conceivably be reached upon the establishment of such a symbolic force through the contribution of a very small number of naval vessels including one or more from each of a number of the middle or smaller powers. A danger of experimentation with such an approach would be that it might play into the hands of the Soviet contention in favor of a small international force and might block eventual development of a substantial effective force. The danger would also have to be considered of creating a false sense of security and of involving a token force in situation which would require subsequent reinforcement which would not be available,



thus injuring rather than supporting the prestige of the UN. On balance, we think this plan merits full exploration.

10. It is probable that there is very little distinction in the public mind between the Article 43 agreements and the question of UN guards.<sup>4</sup> Although we agree fully with our understanding of the Department's position, namely, that the question of UN guards be kept quite separate and distinct from the question of Article 43 agreements nevertheless it is not unlikely that the development of the UN guard idea which has already received considerable public support may provide a sufficient answer for the time being to public agitation for some action. It is doubtful whether contingents furnished under Article 43 agreements should ever be used merely for guarding UN personnel or property in connection with UN commissions in the field. Certainly such a function is not their primary responsibility. On the other hand, it is clear that UN Commission may need guard forces as in Palestine at present. Moreover, it would not seem to strain the spirit of the Charter to contemplate that UN guards might be used in the carrying out of UN decision for the performance of police functions of the law and order variety in contrast with the enforcement function requiring armed force under Article 42.

We believe that support should be given to the general concept behind the SYG's Harvard speech on this subject,<sup>5</sup> although any endorsement of this should make clear the distinction between the guard function designed for the protection of personnel and property together with the performance of ordinary police functions on the one hand, and on the other hand forces supplied under Article 43 agreements which are primarily designed to take enforcement action against states.

JESSUP

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<sup>4</sup> The reference is to a proposal by Trygve Lie, the Secretary General of the United Nations, that a UN security guard be established. For documentation on this subject, see pp. 311 ff.

<sup>5</sup> Reference is to the Secretary General's address before the Harvard Alumni Association, Cambridge, Mass., June 10, 1948, released as a press release by the Department of Public Information of the United Nations the same day.

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Department of State Atomic Energy Files

*Memorandum of Staff Conference, by the Deputy United States Representative to the United Nations Atomic Energy Commission (Osborn)*

[NEW YORK,] June 28, 1948.

Discussed this morning various possibilities for the handling of the Atomic Energy Reports in the General Assembly this fall.

Everyone agreed that the majority nations on the AEC must urge the General Assembly to approve the General Findings and Recom-



mendations of the First Report; the Specific Proposals of the Second Report, and the Report and Recommendations of the Third Report. Anything less would represent a failure to endorse the arduous work of the Atomic Energy Commission and the action taken by the Security Council. It was felt, however, that the General Assembly might be unwilling to vote for the suspension of negotiations in the Atomic Energy Commission unless they could make some constructive proposal to accompany the suspension. It was suggested that after the General Assembly had voted approval of the first three Reports it might then vote a resolution instructing the sponsoring powers to get together and report back to the General Assembly at its next meeting on whether they had been able to reach any basis for agreement. This would give the General Assembly a chance to keep its hands on the situation. It would put the onus on the Soviet for refusing further negotiations; or, if they did agree to meet with the sponsoring powers, it would be on the basis of the first three Reports.

It was agreed that this suggestion should be talked over with the Delegates of Canada, the U.K. and France.

FREDERICK OSBORN

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UNA Files : Lot 42S<sup>1</sup>

*Memorandum of Conversation, by Mr. G. Hayden Raynor, Special Assistant to the Director of the Office of European Affairs (Hickerson)*

SECRET

[WASHINGTON,] June 28, 1948.

Participants: Mr. D. D. Maclean, First Secretary, British Embassy  
 Mr. J. N. Henderson, Second Secretary, British Embassy  
 Mr. Hayden Raynor, of EUR  
 Mr. Howard Johnson, of UNS

Mr. Henderson called this morning and said that he and Mr. Maclean wished to come in for further discussion with Mr. Blaisdell and me on Conventional Armaments and on Article 43. (Mr. Howard Johnson is writing up the portion of the conversation pertaining to Article 43.) In Mr. Blaisdell's absence, I asked Mr. Howard Johnson to attend the meeting.

Messrs. Henderson and Maclean opened the conversation by saying they wanted to be certain that we understood exactly what their proposal is. They stressed that the Foreign Office desires to have the work of the Conventional Armaments Commission suspended or adjourned

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<sup>1</sup> Lots 428 and 55D323, files of the Office of United Nations Affairs, Department of State.

until after the Assembly and that it is not the British desire to have the Commission itself suppressed or terminated. We explained that we understood that position.

They then gave us some information as to the British thinking as to what the Assembly may do in this field. They stressed that they do not have in mind in the Assembly merely a condemnation of the Russians. They thought the Assembly should perhaps pass a resolution enjoining the Commission to resume work and redouble its efforts in this field. Attached is an extract from a Foreign Office telegram giving this view. They look on the matter as largely a question of tactics rather than as a question of fundamental principle and they realize that, except for some difference of views as to what the best tactics would be, there is no great difference between their position and ours.

As to the matter of tactics, they feel that because we have advocated suspending the work of the Atomic Energy Commission where we are in a stronger position and would be giving up more, and continuing the work of the Conventional Armaments Commission where the Russians are perhaps in the stronger position and would be asked to give up, we are presenting the Russians with an effective debating point.

Mr. Johnson and I raised the question as to whether the formula outlined in our note of June 10, in answer to the British *aide-mémoire*, of calling attention to the impasse without suspending work did not, in a large measure, meet what the Foreign Office has in mind. They replied that the British have considered this formula and concluded that it did not meet their objectives. Mr. Henderson, after Mr. Maclean had left, read further from his Foreign Office telegram to the effect that, despite our view, the British propose to instruct Cadogan to advocate suspension.

We talked in some detail about the advantages of our formula, the possibility if suspension would not give the Russians even a more effective debating point than the one the British predict, and about the undesirability of pointing up Conventional Armaments in the Assembly. We explained that this is a field where we are more vulnerable than in that of atomic energy. We added that the Russians always try to confuse and mix up the two. We wondered, therefore, if we were not in a stronger position to stress atomic energy, and not to have Conventional Armaments on the agenda as a special item.

We concluded the matter by stating that we would like to review our position in the light of the additional information which the British had given us with respect to their thinking as to possible Assembly action on this subject.

## [Annex]

EXTRACT FROM TELEGRAM FROM BRITISH FOREIGN OFFICE SUGGESTING  
ACTION IN THE COMMISSION FOR CONVENTIONAL ARMAMENTS AND A  
SUGGESTED RESOLUTION TO BE BROUGHT FORWARD IN THE NEXT GEN-  
ERAL ASSEMBLY

2. At the worst the kind of resolution which would be required would be one which, whilst regretting the lack of progress hitherto made, urged the redoubling of efforts. Whether something more constructive can be suggested cannot at present be forecast. We shall be considering this carefully in the meantime and hope that the Americans will do likewise and let us have the benefit of their thinking as we will let them have that of ours. What however we have been aiming at throughout is a frank public recognition of the fact that the present desultory discussions are useless and misleading at the moment. We wish to secure an adjournment so that all concerned may have a breathing space for consideration with the aim of trying to get a concerted plan to restart discussions after a lead has been given at the General Assembly.

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UNA Files : Lot 55D323

*Memorandum of Conversation, by Mr. Howard C. Johnson, Jr., of the  
Division of International Security Affairs*

SECRET

[WASHINGTON,] June 28, 1948.

Subject: Provision of Armed Forces.

Participants: British Embassy—Mr. Henderson and Mr. Maclean  
EUR—Mr. Raynor  
UNS—Mr. Howard Johnson

Mr. Henderson and Mr. Maclean visited the Department at their request on the subject of Conventional Armaments and Article 43 forces, the first of which is being handled by a separate memorandum.

Mr. Henderson read an instruction from London to the effect that the Soviet Union would probably not oppose a report of the Military Staff Committee to the Security Council to the effect that no further progress can be made in the Military Staff Committee until the Security Council resolves the general principles. The Foreign Office would like to have the Security Council meet once or twice during the summer on the subject of general principles in order to see if there were any prospect of reaching agreement. If this failed the Foreign Office suggested adjournment of the work of the UN on this subject, including the Military Staff Committee, until after the General Assembly. He indicated that in the view of the Foreign Office the Soviet



Union might try to obtain a Security Council discussion of overall strength and that the British Government, principally out of deference to the minority position of the United States, wished to avoid such discussions.

Mr. Johnson asked Mr. Henderson if he could give any indication of the attitude of the British Government toward the General Assembly handling of this question. He also inquired whether or not the British Government felt that this was the time to take additional steps toward the implementation of Article 43.

Mr. Henderson was told that the United States hopes to be able to discuss this matter with the British Government within ten days or two weeks. Mr. Henderson pointed out the urgency of the situation in view of the likelihood that the Military Staff Committee on July 1 would decide to submit its report to the Council.

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Policy Planning Staff Files

*Memorandum by the Director of the Policy Planning Staff (Kennan)  
to the Secretary of State and the Under Secretary of State (Lovett)*

SECRET

[WASHINGTON,] June 29, 1948.

According to a memorandum, dated March 26, 1948, to Mr. Lovett from Mr. Rusk,<sup>1</sup> regarding the implementation of Article 43 of the UN Charter, the Secretary indicated that subject to the views of the Under Secretary the Policy Planning Staff should consider whether the United States should submit an offer of the forces it will make available to the United Nations Security Council. Mr. Lovett subsequently approved of a suggested Planning Staff study.

There is attached a copy of PPS-34, dated June 29, 1948, which contains the requested opinion of the Policy Planning Staff. If this paper is approved, the next step would be a request from the Department to the Joint Chiefs of Staff for an indication of the numbers and types of forces the United States would be prepared to make available, and confirmation that these forces would be available if offered to and accepted by the Security Council of the United Nations.<sup>2</sup>

GEORGE F. KENNAN

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<sup>1</sup> Not printed.

<sup>2</sup> A marginal notation dated July 19 indicates that the Under Secretary had requested additional information on this subject from the Director of the Office of United Nations Affairs.

[Annex]

*Report by the Policy Planning Staff*SECRET  
PPS/34

[WASHINGTON,] June 29, 1948.

ARMED FORCES TO BE FURNISHED UNDER ARTICLE 43 OF THE UNITED  
NATIONS CHARTER

## THE PROBLEM

To determine whether the United States should submit an offer of the forces, assistance and facilities it will make available to the United Nations Security Council, and if so, under what circumstances and after what preparatory steps.

## FACTS BEARING ON THE PROBLEM

Most of the facts bearing on this question are set forth in the appendix to SANACC 219/18 of April 21, 1948<sup>3</sup> attached as Annex A.

The following further items are pertinent to this paper:

(1) Senate Resolution 239 containing the following passage:

" . . . that the President be advised of the sense of the Senate that this Government, by constitutional process, should particularly pursue the following objectives within the United Nations Charter:

"(5) Maximum efforts to obtain agreements to provide the United Nations with armed forces as provided by the Charter, and to obtain agreement among member nations upon universal regulation and reduction of armaments under adequate and dependable guaranty against violation. . . ."

(a) The House Committee on Foreign Affairs proposed at the recent session a bill with a provision advocating "Agreements to provide the United Nations with armed forces as contemplated in the Charter". In reporting out this bill, the House Committee on Foreign Affairs stated that "the failure to provide the Security Council with contingents of the armed forces of the member nations as an instrument for maintaining peace and security has been a negative default of obligations imposed by the Charter"; that "Implementation of article 43 is a *sine qua non* to effective functioning of the Security Council."

(3) The Soviet Government, on June 3, 1948, proposed several small changes in the Soviet estimate of armed forces to be provided under Article 43, apparently designed to bring their estimates closer to those of the other four permanent members of the Security Council. Specifically, they brought their ground forces estimate in line with

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<sup>3</sup> For information regarding SANACC 219/18, see footnote 6, p. 339.

that of all the other members of the UN Military Staff Committee. In naval force categories other than battleships and aircraft carriers they brought their estimates substantially in line with the other estimates. In the category of air forces, without changing their total figure, they revised their figures on bombers, fighters and miscellaneous in order to bring them more closely in line with those of the British, French, and Chinese. The purpose of this appears to be to make more conspicuous the difference between the air estimates of the United States and the much smaller estimates of the other four.

(4) Executive authority to negotiate agreements to make United States armed forces available to the United Nations Security Council is provided in Section 6 of the "United Nations Participation Act of 1945" (Public Law 264—79th Congress), which reads in part as follows:

Sec. 6. The President is authorized to negotiate a special agreement or agreements with the Security Council which shall be subject to the approval of the Congress by appropriate Act or joint resolution, providing for the numbers and types of armed forces, their degree of readiness and general location, and the nature of facilities and assistance, including rights of passage, to be made available to the Security Council on its call for the purpose of maintaining international peace and security in accordance with article 43 of said Charter.

#### DISCUSSION

1. There is no obligation resting on us by virtue of the UN Charter to volunteer to make a contingent of forces available to the Security Council. On the contrary the Charter specifically states that the agreements envisaged in this article shall be negotiated "on the initiative of the Security Council." On the other hand, there is nothing in the Charter which would inhibit our taking such a step. (See Annex B.<sup>4</sup>)

2. There is no positive consideration of national interest involved. On the contrary, the Policy Planning Staff considers it generally dangerous to U.S. interests for the Security Council to attempt to employ armed force in order to assert its security powers in the present state of international relations. The Kremlin has no abstract interest in the maintenance of peace and security. The Soviet leaders do nothing in foreign affairs which is not apt, in their opinion, to contribute to the strengthening of the position of the international communist movement at the expense of the position of the leading members of the western community of nations. If, therefore, in a given instance, the U.S.S.R. were to choose not to exercise its veto over a proposal to use

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<sup>4</sup> Annex B, not printed, consists of an exchange of memoranda (June 23 and June 28) between Kennan and Ernest A. Gross, the Legal Adviser. Gross, in response to Kennan's query, rendered the opinion that an offer of forces would be consistent with the United Nations Charter.



the UN forces in a security matter, this could be only because it had decided that such UN action would be apt to have the effect, in the last analysis, of furthering international communist purposes. In any joint undertakings for the use of UN facilities in security matters, the western powers are therefore betting against the Kremlin on the ultimate repercussions of such undertakings on the world situation.

3. Nevertheless, the United States Government is deeply committed to press to the limit for the implementation of Article 43. Numerous executive statements have emphasized that the UN is to constitute the cornerstone of our policy.

The Senate has now passed a resolution calling specifically for "maximum efforts to obtain agreements to provide the UN with armed forces as provided by the Charter".

Finally, we are committed by many statements of responsible leaders of this Government to make the United Nations a cornerstone of U.S. policy.

#### RECOMMENDATIONS

In the light of the above facts, the Policy Planning Staff recommends that:

(1) The State Department should request from the Joint Chiefs of Staff an indication of the numbers and types of forces the United States would be prepared to make available, and confirmation that these forces would be available if offered to and accepted by the Security Council of the United Nations. If the Joint Chiefs of Staff cannot give the requested confirmation, the plan to make such an offer should not be pursued at this time.

(2) If an affirmative reply is received from the Joint Chiefs of Staff, the State Department should consult with the French, British, and Canadian Governments with a view to making sure that an offer of United States forces to the United Nations would not encounter their opposition in the Security Council. Should any of these powers have strong objection to the proposed procedure, the matter should be re-examined in the Department before any final step is taken.

(3) If favorable replies are received to the inquiries mentioned in Recommendations (1) and (2), the Government of the United States should submit to the United Nations Security Council an offer setting forth the assistance, forces and facilities which it would be willing to make available to the Security Council.

501.BC Atomic/6-3048

*The Deputy United States Representative to the United Nations Atomic Energy Commission (Osborn) to Mr. John C. Elliott of the Division of International Security Affairs*

SECRET

NEW YORK, June 30, 1948.

DEAR MR. ELLIOTT: This confirms our telephone conversation of today. In conferences with the British Delegation day before yesterday, and with General McNaughton and George Ignatieff of the Canadian Delegation today, the following plan for the handling of atomic energy in the General Assembly was developed, as the best method of getting a satisfactory discussion in the General Assembly and a satisfactory vote.

It would be proposed to introduce a resolution at the start of the debate, under which resolution the General Assembly would—

(a) Approve the General Findings and Recommendations of the First Report, and the specific proposals of the Second Report, as constituting the essential basis for effective international control of atomic energy. (The exact wording of the latter part was not agreed on and may provide some difficulties, particularly with the British.)

(b) Approve the Report and Recommendations of the Third Report.

(c) Request the sponsoring powers to confer to determine whether a basis for agreement can be attained, and to report back the results of such conference to the General Assembly on or before their next meeting.

The introduction of such a resolution at the start would make it clear that the General Assembly was not proposing to lose control of the situation, but was simply referring the matter back to diplomatic channels, for which there is good precedent. It is felt that the smaller nations particularly would be pleased with this solution. If such a resolution were voted by the General Assembly the Soviet would be forced either to enter negotiations on the basis of the majority reports or refuse to negotiate and thus defy the mandate of the General Assembly.

We would appreciate your views on this proposal and will be glad of an opportunity to work with you on the exact wording of the resolution, about which there may be some difficulty.

It was further proposed that the first presentation and the introduction of the resolution should be made by the United States Delegate. General McNaughton feels very strongly about this. As Canada is probably the only other nation whom we can be entirely sure will handle the thing in the right way, it will probably be necessary to take General McNaughton's advice and have the United States take the initiative.

Yours sincerely,

FREDERICK OSBORN

Department of State Disarmament Files

*The Department of State to the British Embassy*<sup>1</sup>

CONFIDENTIAL

WASHINGTON, July 9, 1948.

QUESTION OF SUSPENSION OF THE COMMISSION FOR CONVENTIONAL  
ARMAMENTS

It is understood that both Governments agree that a report should be made by CCA to the Security Council at an early date. The only difference of view appears to lie in the conclusion of the report and the action to be taken on it by the Security Council. The UK has suggested that the report announce the view of the majority that no further progress can be made and that the Security Council should direct the Commission to suspend its work. The United States, on the other hand, is of the opinion that the report should conclude that:

"In accordance with the Security Council's instructions the Commission will continue its discussion of the remaining items of the Plan of Work. However, the Commission feels obliged to inform the Council that the Soviet Union has been unable to agree with the majority on principles considered by the majority to be basic to the regulation of armaments. Until such agreement is obtained, it is unlikely that the Commission will be able to formulate plans for the establishment of a system for the regulation of armaments which will be generally acceptable."

It is the US view that upon submission of the report to the Security Council, the Commission should decide, as it did last year, not to meet until after the General Assembly. The practical result of temporary suspension will be the same under either plan.

Thus, the only difference appears to be one of the emphasis to be placed on what is agreed to be only a temporary suspension until after the General Assembly. The U.S. feels, however, that there are important reasons to avoid placing public emphasis upon this temporary suspension by formalizing it:

(1) Article 26 of the Charter provides that "In order to promote the establishment and maintenance of international peace and security . . . the Security Council shall be responsible for formulating, . . . plans . . . for the establishment of a system for the regulation of armaments". CCA was set up for this purpose. In the absence of having considered any practical proposals, CCA can not logically explain why it would be suspending its operations. This contrasts with the UN Atomic Energy Commission situation.

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<sup>1</sup> Presented to Denis Allen, Counselor of the British Embassy, by G. Hayden Raynor, Special Assistant to the Director of the Office of European Affairs, and Howard C. Johnson, Associate Chief of the Division of International Security Affairs, at the Department of State, July 9, 1948.



(2) One of the principal objectives of the U.S. in the coming General Assembly is the adoption by the GA of the proposals of the UNAEC for the international control of atomic energy. It is believed that this objective would be furthered by having the least possible public recognition of the problem of conventional armaments.

(3) It is feared that by repeating in CCA the tactic of suspension used in UNAEC that the force or pressure value of this step in UNAEC will be diluted.

(4) In the event the work of the Commission were suspended, it would facilitate both the opportunity of making and the chances of success of a possible Soviet maneuver of proposing in the next General Assembly the formation of a single Commission to deal both with atomic energy and conventional armaments.

(5) If the Soviet Union were to make sweeping proposals for the regulation and reduction of armaments in the next session of the GA, which is a definite possibility, such proposals could most effectively be countered by having them referred to the CCA, to be taken up under the appropriate item of the CCA Plan of Work. If the work of the CCA had been formally suspended, this counter move would be more difficult to accomplish.

(6) It is announced U.S. policy, in conformity with Article 26 of the Charter, as stated by the Secretary<sup>2</sup> that the CCA should for the immediate future fulfill a planning role rather than attempt to bring about an agreement for the regulation of armaments. Conditions for planning are not markedly less favorable now than when the CCA was established. This is in contrast to the situation confronting the UNAEC.

(7) Certain influential members of the SC have already expressed their opposition to suspension (Canada and France) and since it is also possible that the Soviet Union might attempt to veto suspension, a move to suspend might prove abortive (if it is made a substantial question), and the net result of such a proposal would make the sponsor or sponsors the subject of damaging propaganda attacks without serving any useful purpose.

(8) In any event, the mere advocacy of suspension by the western powers would deal the Soviet Union a propaganda card, which it is all too certain the Soviet Union would play promptly and probably effectively.

(9) The U.S. Senate by a vote of 64 to 4 has approved a Resolution calling upon this Government to make "Maximum efforts . . . to ob-

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<sup>2</sup>Reference is to the statement on regulation of armaments contained in Marshall's address during the general debate phase of the second session of the United Nations General Assembly, September 17, 1947; for text, see Department of State *Bulletin*, September 28, 1947, p. 618.

tain agreement among member nations upon universal regulation and reduction of armaments inadequate and individual guarantee against violations". This Resolution is a reflection of a traditional association in the mind of the average American of regulation of armaments and organization for international peace and security. The U.S. people therefore would not understand a Government decision to support suspending the operations of the CCA.

(10) The U.S. hopes, although it is by no means sanguine, that a full debate on conventional armaments can be avoided at this Fall's General Assembly. It hopes the emphasis in the security field at the General Assembly will be placed on atomic energy. The formal suspension of the work of the CCA would spotlight the subject of conventional armaments and thereby enhance the occurrence of the very situation we hope to avoid or minimize.

(11) If the subject of conventional armaments does come up in the General Assembly, as it well may in the atomic energy debate, the U.S. hopes the discussion can be kept secondary to the more important atomic energy discussion and that the GA will take no specific action on conventional armaments. If, however, action is unavoidable, the U.S., while it would not initiate, would be willing to vote for, a resolution regretting the lack of progress made in the CCA, and urging the CCA to proceed to a consideration of Item 3 of its Plan of Work.

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UNA Files : Lot 428

*Memorandum by Mr. John C. Ross, Deputy to the United States Representative at the United Nations (Austin)*<sup>1</sup>

SECRET

[NEW YORK,] July 23, 1948.

[Here follows discussion of recent correspondence with the Department of State on policy with respect to implementation of Article 43 of the United Nations Charter.]

5. It does not seem to me that a pressure campaign to get something done about the Article 43 Agreements (which, as indicated above, I doubt would be successful in any event) is very relevant to effective dealing with the principal political problems confronting us. These may be divided into two categories as follows:

(a) With regard to the major problems confronting us, Berlin, for example, I do not see that Article 43 forces would be of any use to us in the present situation even if we had them. I cannot envisage any set of circumstances involving major political problems between the So-

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<sup>1</sup> This memorandum was directed to Philip C. Jessup, Deputy Chief, United States Mission to the United Nations, and to Charles P. Noyes, Adviser on Security Council Affairs.



viet Union and the so-called western democracies with regard to which it would make the slightest difference whether or not we had the Article 43 forces.

(b) With regard to other international political problems, e.g., Palestine, Kashmir, Indonesia, Greece, Korea, these are on the whole all being dealt with with reasonable effectiveness by the United Nations, and I do not think it likely that we could deal with these questions with any greater effectiveness if we had the Article 43 forces. In the present state of political relationships, it is virtually certain that either we or the Russians would prevent the employment of Article 43 forces if we had them in the settlement of these secondary political issues.

6. With regard to the stage which has been reached in the development of the United Nations, I do not feel that pressure for the Article 43 Agreements is in tune for the following reasons:

(a) It has seemed to me for some time past that there is an inescapable correlation between the international control of atomic energy, the reduction of conventional armaments, and creation of Article 43 forces. Without developing this point in further detail, it seems to me that we should not follow a policy with regard to any one of these which is inconsistent with our policy with regard to the other two. We do not expect and we are not pressing for any substantial accomplishment in the atomic energy and conventional armaments field, the primary reason being the present state of relations between the Soviet Union and the western democracies. It seems to me, therefore, that we should key our Article 43 policy with our policy on the other two instead of, to mix the metaphor, taking off on a different tack.

(b) From the political viewpoint, the United Nations has just barely reached in the Palestine case the stage of Chapter VII action.<sup>2</sup> This first step into Chapter VII has been taken very gingerly: quite apart from the views of the Members on the merits of the Palestine issue, a number of Members of the Council were noticeably reluctant to move into Chapter VII. This political diffidence, I am sure, will continue for some time and its continuance will be in large measure dependent upon the continuance of strained relations between the Soviet Union and the rest of the world. Given the Palestine precedent, it is conceivable that in other cases (Kashmir, Indonesia) the Security Council might the more readily again take Chapter VII action limited to a finding of a threat to the peace and the issuance of orders to the parties appropriate to the circumstances. I have very great doubt, however, whether the Council or the governments composing the Council are likely in the predictable future to be at all prepared to move very far beyond such action. In brief, therefore, I do not see what we have to gain at the moment politically from pressing to make the Article 43 forces available.

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<sup>2</sup> Reference is to Chapter VII of the United Nations Charter (Articles 39-51), "Action With Respect To Threats To The Peace, Breaches Of The Peace, And Acts Of Aggression." Documentation on the Palestine question is scheduled for publication in volume v.



7. From the domestic political viewpoint we should, of course, pay due regard to the expressed views of the Congress. On the other hand, we should bear in mind that the Congress which expressed those views will no longer be with us next January. It would seem to me to involve less domestic political confusion if we bide our time on the Article 43 question until next January when we will have to work certainly with a new Congress and possibly with a new Administration.

8. It seems to me that the wise course to follow is a simple one aimed at initiating a policy enunciated in general terms at the Assembly this fall and carefully prepared and built up during the course of the ensuing year with the New Congress, on the one hand, and, on the other hand, in the Military Staff Committee and the Security Council. I would certainly feel that in the Secretary's initial speech at the Assembly he should deal in two or three paragraphs in very strong terms with the question of armed forces, fixing the blame on the Russians' failure to accomplish more in this field.<sup>3</sup>

9. A practical and progressive step we might take this fall would be to take over Trygve Lie's armed guard idea<sup>4</sup> and press it through. It is clear to me that we have reached the stage in the political development of the United Nations where a UN guard, if available, could perform a very useful service. I do not mean to imply that we should in any way let it be assumed that we feel that a UN armed guard would be a substitute for the Article 43 forces. We should rather make very clear the distinction between the two. The creation of such a guard

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\* On June 23, 1948, the Military Staff Committee had completed its consideration of the report of its Subcommittee on Overall Strength (which had been submitted on December 23, 1947), but failed to achieve unanimity with respect to it. On July 2, the Chairman of the MSC had transmitted a letter to the President of the Security Council informing him that the MSC was unable to undertake final review of the question of overall strength and composition of armed forces until the Council had reached agreement on the general principles contained in the Report of the Committee to the Council of April 30, 1947; for text of the latter, see Department of State *Bulletin*, August 15, 1948, p. 195.

Subsequently, the Committee was unable to agree on the course of its future work. On August 6, the United States, United Kingdom, French and Chinese Delegations submitted a letter to the President of the Security Council reiterating the view that the MSC could not proceed until the Security Council took action with respect to general principles. On August 16, however, in a similar letter, the Soviet Delegation expressed the opinion that the MSC could continue its work by consecutive examination of the questions set out in its program of work. For texts of the two letters, see *ibid.*, August 29, 1948, pp. 263-265.

The Military Staff Committee continued to meet as a matter of course during the remainder of the year, but no further substantive discussion occurred on the subject of forces to be provided under Article 43 of the Charter. No other organ of the United Nations concerned itself with the question during the second half of 1948. Secretary Marshall's address during the general debate phase of the first part of the Third Session of the General Assembly, September 23, mentioned Article 43 forces only in passing.

<sup>4</sup> For documentation on United States policy with respect to the Secretary-General's proposal for the creation of a United Nations armed guard force, see pp. 311 ff.

would, however, in my opinion, represent a step towards the strengthening of the United Nations by providing a type of police force which, although not specifically contemplated in the Charter, experience has demonstrated there is a need for. It is very clear to me also that such action by the United Nations, pursuant to leadership by the United States, would be strongly supported publicly.

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501.BB/7-2748 : Telegram

*The Secretary of State to the United States Representative at the United Nations (Austin)*

SECRET

WASHINGTON, July 27, 1948—5 p. m.

480. For Osborn.

1. U.S. objectives with respect to GA consideration of atomic energy question are:

(a) By gaining GA approval for the First and Second UNAEC Reports, to make them UN reports, thus formalizing the achievements of the UNAEC and establishing the basis for further action looking toward international control whenever such action shall be undertaken.

(b) By gaining GA approval for the Third UNAEC Report, to make clear the nature of the impasse and the responsibility therefor, thus bringing the moral pressure of world public opinion to bear on the dissenting minority.

2. UN countries other than those in the Soviet orbit and those presently members of UNAEC are being approached by our Missions on basis of atomic energy circular airgram,<sup>1</sup> which is being communicated to USUN. It is believed desirable that you inform other delegations of the UNAEC majority of this initiative.

3. It is believed that the most effective strategy toward reaching the above objective would be for the nine members of the majority of the AEC (with past members of the majority if possible) to introduce jointly a resolution early in the debate along the general lines of the SC resolution, with possible additions. This would carry over into the GA the complete solidarity which has so successfully been maintained in the AEC and in SC, and would minimize the effectiveness of Soviet propaganda in this field.

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<sup>1</sup> This circular airgram, July 26, not printed, contained an extended explanation of the United States position, including the intention to seek approval of the reports of the United Nations Atomic Energy Commission by the General Assembly. Each mission was instructed to explain that position to its respective foreign government, and to "report promptly the extent to which the foreign government understands and approves the three reports as well as any aspects of special concern to such government." (501.BB/7-2648)

4. It is suggested therefore that you consult with the other eight members of the majority of the AEC in an effort to secure their joint sponsorship of a resolution along the following lines:

*"The General Assembly,*

*"Having received and examined the First, Second, and Third Reports of the UNAEC,*

*"Approves the General Findings (Part II C) and Recommendations (Part III) of the First Report, and the Specific Proposals of Part II of the Second Report as constituting the necessary basis for establishing an effective system of international control of atomic energy in accordance with the terms of reference of the UNAEC and,*

*"Approves the "Report and Recommendations of the AEC" (Part I) of the Third Report of the UNAEC."*

5. These consultations should commence at the earliest possible time, so that the Department will know exactly where each member of the majority stands as to GA consideration. In these consultations you are authorized to state that this government is prepared to give strong support through diplomatic channels to your proposal for joint sponsorship of the resolution.

6. In your consultations it would be advisable to obtain the views of the other members of AEC re addition to above resolution of a paragraph along the following lines:

*"Recognizes the grave dangers to international peace and security resulting from the absence of effective international control of atomic energy and calls upon all nations to fulfill their responsibilities to the world community by accepting the necessary basis for such control as approved by this body in second paragraph of this resolution."*

7. Please report these consultations fully to the Department.

MARSHALL

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IO Files : US/A/1143, also US/AEC/20, also US/S/C.3/5

*Memorandum of Conversation, by Mr. Frederick Osborn*<sup>1</sup>

SECRET

[NEW YORK,] July 28, 1948.

Subject: Atomic Energy and Commission for Conventional Armaments

Participants: Sir Alexander Cadogan and Mr. Falla,<sup>2</sup> United Kingdom

General McNaughton and Mr. Starnes,<sup>3</sup> Canada

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<sup>1</sup> Deputy United States Representative on the United Nations Atomic Energy Commission; Deputy United States Representative on the Commission for Conventional Armaments.

<sup>2</sup> Paul S. Falla of the Permanent British Delegation to the United Nations.

<sup>3</sup> J. K. Starnes, Adviser, Canadian Delegation to the Atomic Energy Commission.



M. Parodi,<sup>4</sup> Baron de la Tournelle and Mr. deRose,  
France

Dr. Wei,<sup>5</sup> China

Mr. Frederick Osborn, United States Mission

Mr. Charles Russell,<sup>6</sup> United States Mission

The first part of the discussion related to the handling of the atomic energy debate in the General Assembly in Paris. Cadogan stated that the General Assembly should vote approval of the plan developed by the Atomic Energy Commission. He suggested that the resolution should be similar to the resolution voted on in the Security Council and vetoed by the Soviet. Osborn asked who should present the resolution and pointed out that if it was presented by the United States, the Soviet Union would claim that the United States again was attempting to coerce the other powers. Parodi then said he felt strongly that all the states which are or have been members of the Atomic Energy Commission voting with the majority should jointly sponsor the resolution. On discussion all those present agreed.

DeRose then said that he believed the Soviet Union might make the whole debate on the question of suspension instead of on the question of the approval of the report. Osborn said if this likely attempt took place, undoubtedly some of the smaller nations would desire to introduce a resolution in the General Assembly instructing the sponsoring powers to get together and report to the General Assembly at their next Meeting. If such a resolution were introduced the United States would go along with it. DeRose said that such a resolution might be in the form of an amendment to the main resolution. Osborn said that this would be all right. The United States would go along with such an amendment, but thought it most inadvisable that such an amendment or resolution should be originally sponsored by any of the major states.

McNaughton suggested that Brazil might suggest such an amendment, but Parodi and deRose felt that it should be done by some outside country not participating in the resolution, such as Norway or some other Nordic state. Cadogan agreed and McNaughton said he was willing to go along with this point of view.

There was some discussion as to whether arrangements for the introduction of such a resolution or amendment should be made in advance or whether it could be allowed to develop when we get to Paris. The general view was expressed that it could be allowed to develop when we get together in Paris.

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<sup>4</sup> Alexandre Parodi, Permanent French Representative to the United Nations; French Representative to the Security Council, the Atomic Energy Commission, and the Commission for Conventional Armaments.

<sup>5</sup> Hsioh-ren Wei, Adviser, Chinese Delegation to the Atomic Energy Commission.

<sup>6</sup> Charles H. Russell, Special Assistant to Mr. Osborn.

Osborn then advised of the action of the State Department in sending an airgram to its diplomatic representatives in a number of countries instructing them to inform the foreign offices to which they were accredited that the General Assembly would be asked to vote on the question of approving the reports of the Atomic Energy Commission, and that they should study the matter carefully so they would know how they were going to vote and be prepared to take an intelligent part in the debate.

Osborn then said that if agreeable, he would approach the delegations of the States not present at this meeting and who were, or had been, members of the Atomic Energy Commission, to ask them to join in sponsoring the resolution. Osborn then presented a proposed form of resolution, given below, which is in accordance with the Department's telegram of July 27, No. 5938: <sup>7</sup>

*"The General Assembly,*

*"Having Received and Examined the First, Second, and Third Reports of the UNAEC,*

*"Approves the general findings (Part II C) and recommendations (Part III) of the First Report, and the specific proposals of Part II of the Second Report as constituting the necessary basis for establishing an effective system of international control of Atomic Energy in accordance with the Terms of Reference of the UNAEC and,*

*"Approves the 'Report and Recommendations of the AEC' (Part I) of the Third Report of the UNAEC.*

*"Recognizes the grave dangers to international peace and security resulting from the absence of effective international control of Atomic Energy and calls upon all nations to fulfill their responsibilities to the world community by accepting the necessary basis for such control as approved by this body in Second Paragraph of this resolution."*

Osborn stated that the last paragraph was submitted simply for their consideration, but all of those present said they liked it and would consider whether any changes were necessary.

Cadogan suggested that Osborn defer his conversations with the other Delegations until the four delegates present had heard from their governments approving their joining in this resolution. Cadogan said he would require only three days, but Parodi said he would want a week to get in touch with his government and would be ready for another conference next Wednesday or Thursday. Osborn said accordingly he would wait until they had heard from their governments before approaching the other Delegations.

The meeting then turned to the consideration of the Commission for Conventional Armaments. Osborn said that he was preparing a statement for the press for use in Monday's papers, refuting the articles in

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<sup>7</sup> Reference is to telegram 480 to New York, July 27, *supra*.



yesterday's *Times* and *Herald Tribune* to the effect that the Commission for Conventional Armaments was to be discontinued.<sup>8</sup>

Cadogan said he hoped that in such a statement the United States would make it clear that there was little hope for progress in the Commission for Conventional Armaments because of Soviet intransigence. Osborn said he would go over the proposed statement with Mr. Falla of the United Kingdom. Cadogan said that the subject of suspension of the work of the Commission for Conventional Armaments had been discussed recently by the British Embassy and the State Department. He would, however, take up with the Foreign Office the subject of today's discussion and ask for instructions.

Parodi then said that the French position on the Commission for Conventional Armaments is different from that just expressed by Sir Alexander, and that he will not easily get his government to change their position; that the Commission for Conventional Armaments must not quit and that there is no reason to add one more tension with the U.S.S.R. at this time. Further, it would weaken the position and effectiveness of the Commission for Conventional Armaments to make such a statement now. In atomic energy the situation is quite different, and the French fully agree with the action of the majority in which they have joined. In atomic energy a great amount of work has been done, much time has been spent on a careful study of all Soviet proposals and clear statements have been made, including all the reasons for the position taken by the majority. Such is not the case in the Commission for Conventional Armaments and a statement attacking the Soviet for their intransigence at this time would therefore not carry proper authority.

Osborn said that the position of his government was that the Commission for Conventional Armaments must continue its work and the form of the resolution or letter of transmittal, so long as it included a clear statement to this effect, was largely a matter of agreement between the French and the United Kingdom.

McNaughton agreed with Parodi that the work of the Commission for Conventional Armaments has not yet gone far enough to justify pointing the finger of scorn at the Soviet and the Ukraine at this time. To do so now would weaken the position of the Commission for Conventional Armaments when the time comes when they will be forced to report, after much study, that it is evident progress is impossible because of the refusal of the Soviet. Further, that we have not yet got sufficient evidence to justify such an attack on the Soviet.

De la Tournelle asked whether the United States was ready to go on with discussions of Items 3, 4 and 5 of the plan of work. Osborn said

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<sup>8</sup> For the substance of the statement, see telegram 492 to New York, July 30, *infra*.



that the United States was ready to discuss Item 3, but did not desire to go on to Items 4 or 5, as it seemed unrealistic to discuss anything beyond Item 3 until the Soviet showed by their acts that they were serious. Item 3 itself will take some time to discuss and its discussion will carry us well into the winter.

McNaughton said that while Canada was willing and anxious to discuss Item 3 they certainly did not desire to discuss Item 4 until conditions have totally changed.

No decision was taken as to the wording of the interim report to the Security Council. Both Cadogan and Parodi will get in touch with their governments and will try to agree on a form of resolution, which they will then present to a further meeting of the same group.

FREDERICK OSBORN

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501.BC Armaments/7-3048 : Telegram

*The Secretary of State to the United States Representative at the United Nations (Austin)*

RESTRICTED

WASHINGTON, July 30, 1948—3 p. m.

492. Dept like USUN is concerned about press reports on action taken this week by CCA.<sup>1</sup> In these circumstances Dept suggests that the Deputy US Representative on the CCA should make a statement along the following lines:<sup>2</sup>

"The US Govt wishes to draw the attention of the Commission to the action which it took in approving the British resolution on Principles at the last meeting of the Working Committee, and to make abundantly clear at this time its position with respect to the continuance of the work undertaken by this body. The responsibility of my Government and other governments represented on this Committee arises from

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<sup>1</sup> At its 17th Meeting, July 26, the Working Committee of the Commission on Conventional Armaments adopted a revised British resolution on Item 2 of the CCA Plan of Work (Principles). This resolution reflected Canadian and United States amendments; for text, see United Nations, *Official Records of the General Assembly, Fourth Session, Supplement No. 2, Report of the Security Council to the General Assembly*, p. 71 (hereafter cited as GA (IV), *Suppl. No. 2*), or Department of State *Bulletin*, August 29, 1948, pp. 267-268. The Working Committee did not discuss a Soviet counter-proposal, S/C.3/SC.3/17; for text, see GA (IV), *Suppl. No. 2*, p. 72, or *Documents on Disarmament, 1945-1959*, vol. I, pp. 173-174.

The Working Committee also decided to transmit to the CCA its resolution on Item 1 (Terms of Reference) approved September 9, 1947 (for text, see footnote 3, p. 311); the resolution on Item 2; and a progress report, S/C.3/27, not printed.

<sup>2</sup> At the 11th Meeting of the Commission, August 2, 1948, at which time the report of the Working Committee was taken under consideration, Osborn presented a statement which followed very closely the text contained in this telegram. Osborn's statement was included as Annex II in the Second Progress Report of the Commission to the Security Council, August 12, not printed. For text, see Department of State *Bulletin*, August 15, 1948, pp. 194-195.

Article 26 of the Charter and previous actions of the GA and the SC.

Article 26 of the Charter provides that 'the Security Council shall be responsible for formulating . . . plans to be submitted to the Members of the UN for the establishment of a system for the regulation of armaments.'

In the General Assembly resolution of December 14 the GA recommended to the SC that it give 'prompt consideration to formulating the practical measures, according to their priority, which are essential to provide for general regulation and reduction of armaments and armed forces . . . plans formulated by the SC shall be submitted by the Secretary-General to the Members of the United Nations . . . .'

The SC resolution establishing this Commission provided that the Commission will submit to the SC proposals (a) for the general regulation and reduction of armaments and armed forces, and (b) for practical and effective safeguards in connection with the general regulation and reduction of armaments.

The plan of work for the Commission for Conventional Armaments approved by the SC on July 8, 1947 contains the following items:

(Here quote at least first four items of CCA Plan of Work.)<sup>3</sup>

The Commission for Conventional Armaments has now completed its consideration of Items 1 and 2 of this Plan of Work. The Chairman of the Commission has suggested that the Commission submit an interim progress report to the SC indicating the status of its work.

The US will support the proposal of the Chairman for the submission of an interim status report to the SC. At this time I would like to make it clear that the position of the US with respect to the future work of the Commission has not changed. This position is best expressed in the words of Secretary Marshall to the GA on Sept 17, 1947:

'The United States . . . recognizes the importance of regulating conventional armaments. We regret that much more progress has not been made in this field . . . . it is very easy to pay lip service to the sincere aspirations of all peoples for the limitation and reduction of armed forces. This is a serious matter which should not be the subject of demagogic appeals and irresponsible propaganda. I say frankly to the General Assembly that it is the conviction of my Government that a workable system for the regulation of armaments cannot be put into operation until conditions of international confidence prevail. We have consistently and repeatedly made it clear that the regulation of armaments presupposes enough international understanding to make possible the settlement of peace terms with Germany and Japan, the implementation of agreements putting military forces and facilities at the disposal of the Security Council, and an international arrangement for the control of atomic energy.

Nevertheless, we believe it is important not to delay the formulation of a system of arms regulation for implementation when conditions permit. The Security Council has accepted a logical plan of work for the Commission for Conventional Armaments.

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<sup>3</sup> For text, see footnote 3, p. 311.



We believe that the Commission should proceed vigorously to develop a system for the regulation of armaments in the business-like manner outlined in its plan of work.<sup>1</sup>

The work of this Commission has continued to be hampered by 'demagogic appeals and irresponsible propaganda'. We cannot but note regretfully that the Soviet system of obstructionism in this Commission is the same as that employed by them in the AEC. Nevertheless, the U.S. believes that the Commission must proceed with its work."

The above statement should be made at the next meeting of the CCA. If the meeting is closed a press release along these lines should be issued immediately following the meeting.

MARSHALL

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Department of State Disarmament Files

*The British Embassy to the Department of State*

SECRET

An informal meeting of members of the United States, United Kingdom, French, Canadian and Chinese Delegations at New York was called by the United States Delegation on the 28th of July to discuss the question of future tactics on the control of atomic energy and disarmament.<sup>1</sup>

2. As regards atomic energy control, the United States representative proposed a draft resolution to be submitted to the General Assembly jointly by the countries that had subscribed to the major decisions of the United Nations Atomic Energy Commission. The resolution would call upon all nations to fulfil their responsibilities to the world community by accepting the necessary basis for effective international control of atomic energy as set forth in the relevant passages of the Atomic Energy Commission's reports.

3. As regards disarmament, the United States Delegation proposed a draft resolution<sup>2</sup> for adoption by the Commission on Conventional Armaments calling for the submission to the Security Council as an interim report the records of the Commission's proceedings and drawing attention to the Soviet and Ukrainian Delegations' obstruction of the Commission's work.

4. These proposals have doubtless been formulated by the United States Delegation in pursuance of the policy described in the paper handed to the British Embassy in Washington by the State Department on the 9th of July. Under point two in that paper, it was stated that one of the principal objectives of the United States in the coming

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<sup>1</sup> For Osborn's memorandum of conversation on that meeting, see p. 385.

<sup>2</sup> For text, see footnote 1, p. 377.



Assembly would be the adoption by the Assembly of the majority proposals of the United Nations Atomic Energy Commission and the belief was expressed that this objective would be furthered by having the least possible public recognition of the problem of Conventional Armaments. Under point ten of the paper it was stated to be the hope of the United States Government that the emphasis in the security field at the General Assembly would be placed on atomic energy.

5. The Foreign Office are seriously concerned over these developments, which indicate that the present views of the United States Government on this whole question are at variance with their own.

6. The policy which the Foreign Office have hitherto had in mind is to use the attitude of the Soviet Government not only in the Atomic Energy Commission but also in the Conventional Armaments Commission (and, if possible, also in the Military Staff Committee) to show how impossible it is to make progress on all these subjects (whether in the Commissions or in the Security Council itself) so long as the Soviet Government are determined to stick to the letter of their rights on all matters on which they do not see eye to eye with the majority views. The Foreign Office attach high importance to tackling the matter on these lines rather than by attempting the fruitless task of trying to push through the Assembly the majority report of the Atomic Energy Commission by itself. They consider that there is serious objection to making the subject of atomic energy as such a major question at the next Assembly instead of using it as an illustration of a wider thesis. The view of the Foreign Office is that the question of atomic energy disarmament and security should be treated at the Assembly as connected parts of the same major problem, namely, whether the United Nations can make any real progress in such matters (or indeed in any matter coming before the Security Council), so long as certain member governments are unwilling to abandon in any degree in the common interest the letter of their rights under the Charter. This ultimately involves the whole question of the voting position, which of course lies at the root of all the three issues mentioned above as well as of other issues which come before the Security Council.

7. It is a matter which, in the opinion of the Foreign Office, requires most careful thought as to handling. The Foreign Office hope to be in a position during the next few weeks to put up some definite proposals for careful study before the Assembly by the Governments who think in the same general way as the British Government about the present abuse of voting rights. Meanwhile, the Foreign Office cannot regard as an adequate or appropriate substitute for such inter-governmental

study the informal discussions which have been initiated by the United States Delegation in New York.

8. It is of course a foregone conclusion that the inter-governmental exchange of views which the Foreign Office have in mind will result, so far as the United Kingdom are concerned, in the inclusion in any line of tactics and in any resolution which may be worked out, of some phraseology which will endorse the majority views of the United Nations Atomic Energy Commission. The British Government are not in any sense weakening in their general support of those views. But they are convinced that to attempt to force those views through as an isolated issue will not only prove fruitless but will also make it impossible to secure any objective consideration of the far wider point mentioned in paragraph 6 above.

9. The Foreign Office accordingly wish to urge the State Department, in consideration of the views outlined above, to refrain from pressing for the time being their view about the isolated handling of the atomic energy issue at the Assembly. They strongly hope that the State Department will agree as a matter of urgency to send appropriate instructions in this sense to the United States Delegation in New York and to such of their representatives elsewhere as may be concerned. It is understood that a further informal meeting in New York has been planned for the 4th August, and it is hoped that an expression of the State Department's views may be forthcoming before that date.

WASHINGTON, August 2, 1948.

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Department of State Disarmament Files

*Memorandum of Telephone Conversation, by the Executive Secretary of the Executive Committee on Regulation of Armaments (Elliott)*

CONFIDENTIAL

[WASHINGTON,] August 3, 1948.

Mr. Osborn called today to say that he had talked with the French and Canadian representatives on the CCA about a majority resolution along the lines of the draft prepared by USUN (RAC D-31/5).<sup>1</sup>

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<sup>1</sup> The draft resolution read as follows:

DRAFT RESOLUTION ON REPORT OF PROGRESS BY THE COMMISSION FOR CONVENTIONAL ARMAMENTS TO THE SECURITY COUNCIL

*Resolved* that the Security Council be informed of the following resolutions which were adopted by the Commission For Conventional Armaments in the course of its proceedings and deliberations to date:

1. Resolution Adopted at Fourth Meeting of the Working Committee; see document S/C.3/SC.3/8, 9 September 1947. [For text, see footnote 3, p. 313.]

2. United Kingdom Resolution; see document S/C.3/SC.3/15, 7 April 1948. [For text, see GA (IV), *Suppl. No. 2*, p. 71.]

*Further Resolved* that in accordance with the Security Council's instructions

Footnote continued on following page.



Mr. Osborn said he found strong opposition on the part of these Delegations to the adoption of a resolution of this kind. Both Delegations expressed the view that the CCA report should consist merely of the resolutions adopted on Items 1 and 2 of the Plan of Work, the Secretariat's summary of proceedings, and certain documents to be included in an Appendix.

I told Mr. Osborn that this proposal was not in accordance with the Department's telegram of June 4 (RAC D-26/10a) <sup>2</sup> which suggested a statement by the majority expressing pessimism as to the fruitfulness of future CCA work, in face of Soviet opposition, but stating their intention to proceed with the remaining items on the Plan of Work. I told Mr. Osborn that I would discuss the French and Canadian views with other members of RAC and let him know the result. I ventured the opinion that the least that should be done with respect to the position stated in the June 4 telegram would be to have those members of the majority who agreed to state their views along the lines of that contained in the telegram. Mr. Osborn said that he thought there would be no difficulty in accomplishing this. The statements of the members to this effect would appear as a part of the report.<sup>3</sup>

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Footnote continued from preceding page.

the Commission will continue its discussions of the remaining items of the Plan of Work. However, the Commission feels obliged to inform the Council that the Soviet Union has been unable to agree with the majority on principles considered by the majority to be basic to the regulation of armaments. Until such agreement is obtained, it is unlikely that the Commission will be able to formulate plans for the establishment of a system for the regulation of armaments which will obtain general agreement.

*And Further Resolved* that the records of the proceedings and deliberations, to date, of the Commission For Conventional Armaments and its Working Committee be transmitted to the Security Council for its information.

<sup>2</sup> Reference is to telegram 361 to New York, June 4, p. 346.

<sup>3</sup> At its 13th Meeting, August 12, the Commission for Conventional Armaments approved the resolutions on Items 1 and 2 of its plan of work, which had been adopted by the Working Committee on July 26 (see footnote 1, p. 373). The CCA decided to transmit these resolutions and a progress report prepared by the Secretariat covering the period July 16, 1947, to August 12, 1948, to the Security Council.

At its 15th Meeting, August 17, the Commission approved the progress report. This document not printed, based on the report of the Working Committee, consisted of a summary of activities and eight statements by members of the Commission, included as annexes. For the substance of the United States statement, Annex II, see telegram 492 to New York, July 30, p. 373.

The progress report and the two resolutions approved on August 12 comprised the draft report to the Security Council, S/C.3/32/Rev. 1, August 18, 1948. The CCA decided that this document would become final in the absence of requests for reconsideration prior to September 15. On September 14, the Soviet Delegation informed the Secretariat that it could not accept the draft report since it did not contain certain amendments proposed by the USSR. The Soviet Union also noted that it had voted against the two resolutions which formed part of the report. The CCA was unable to meet to consider possible revision due to the fact that the General Assembly was to convene in Paris on September 21. The CCA report was therefore not transmitted to the Security Council in 1948.



Department of State Atomic Energy Files

*Memorandum of Telephone Conversation, by Mr. Donald M. Leith  
of the Division of International Security Affairs*

SECRET

[WASHINGTON,] August 3, 1948.

Mr. Osborn called me on the afternoon of August 3 and told me that he had just gotten in touch with Sir Alexander Cadogan of the U.K. Delegation. He questioned Sir Alexander as to the latter's interpretation of the memorandum in question.<sup>1</sup> Mr. Osborn said that Sir Alexander expressed himself as being very confused by the memorandum and as planning to get in touch immediately with London for clarification.

Mr. Osborn made the following comments to Sir Alexander on the substance of the U.K. memorandum:

*Page 3—paragraph 7—7th line beginning "Meanwhile, the Foreign Office" and ending "Delegation in New York".*

*Mr. Osborn's Comments:*

The informal discussions in New York are simply a continuation of the discussions which have been held by the Permanent Members represented on the UNAEC majority during the past two years and which have made our work possible and successful. The purpose of such meetings is not to bind the five Governments to any particular plan of action but to keep them mutually informed of proposed action as a basis for preserving their solidarity. They were not primarily initiated by the U.S. Delegation any more than by any other Delegation.

*Page 2—paragraph 6—entire paragraph.*

*Mr. Osborn's Comments:*

What the Foreign Office proposes would seem to play right into the hands of the Soviet Union by giving them an opportunity for general discussions and general debates of their positions in which kind of propaganda they can be more effective than the rest of us. We feel that by holding them down to a debate on the specific proposal submitted by the Atomic Energy Commission after two years of work they will be forced to debate realities and the great majority of the other nations will vote approval rather than repudiate the findings of their own Commission.

*Mr. Osborn's General Comments on the UK memorandum:*

In view of the short time before September, it is extremely desirable that other nations be approached to see whether they will also sponsor the proposed resolution by which the General Assembly would ap-

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<sup>1</sup> Reference is to the British memorandum on atomic energy control, August 2, p. 375.

prove the specific proposal of the AEC as a necessary basis for effective control. Since the UK is ready to vote approval, we do not see why it is necessary for them to withhold sponsorship which the French, Canadians, and Chinese are ready to give. If they approve sponsorship they are still in a position to continue the general discussion which they propose on the handling of the whole matter. The important paragraphs of the proposed resolution on atomic energy are those which have to do with approval of the First, Second and Third Reports and not the final paragraph which is quoted on page 1, paragraph 2 of the UK note and which is general in its nature and not considered essential.

All the views on this matter are strongly supported by General McNaughton of Canada who feels it extremely urgent that a full debate and vote be taken on the atomic energy control plan of the Commission. The French and Chinese Delegations have also informed USUN that their Governments are prepared to support joint sponsorship of a resolution approving the three AEC Reports.

*Mr. Osborn's Comments with Respect to Conventional Armaments:*

The United States is entirely ready to withdraw the proposed draft resolution mentioned in paragraph 3, page 1 of the British memorandum and simply vote in the CCA Commission approval of the resolutions covering item 1 and item 2 and forward the report of the Secretariat to the Security Council, leaving the work of the Commission on item 3 to be continued when the General Assembly is over.

Mr. Osborn said that he would inform us when he had heard further from Sir Alexander but he assumed that further conversations on this matter should be held in Washington. Mr. Osborn said that in his opinion the other four Delegations could not be expected to postpone for long the informal meetings referred to simply because of the uncertainty of the UK as to its projected course of action in the GA.

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IO Files: US/A/1158, also US/AEC/21

*Memorandum of Conversation, by Mr. John C. Ross, Deputy to the United States Representative at the United Nations (Austin)*

SECRET

[NEW YORK,] August 6, 1948.

Subject: Atomic Energy

Participants: General McNaughton, Canadian Delegation  
Mr. Ignatieff, Canadian Delegation  
Dr. Philip Jessup, United States Mission  
Mr. John C. Ross, United States Mission

We had lunch today, on their invitation, with General McNaughton and Mr. Ignatieff and discussed a wide range of Assembly topics (see

separate memorandum of conversation, US/A/1157)<sup>1</sup> spending a particularly long time, (on the General's initiative), on the subject of atomic energy, as follows.

General McNaughton referred to the recent British *aide-mémoire*<sup>2</sup> (which we had not yet seen) and went on to discuss two possible alternative courses open to us at the General Assembly this Fall.

The first alternative is: To explain patiently what atomic energy is all about, the principles and objectives to which fourteen of seventeen members at various times of the Atomic Energy Commission are committed; to educate the other members of the General Assembly and get them to understand these principles and objectives and commit themselves thereto; to leave the door open to take advantage of any opportunity (which would be a fleeting one) of getting the Russians to go along with the effective control of atomic energy, implying the continued work of the Atomic Energy Commission.

The second alternative is to choose the occasion of the Assembly for a pitched propaganda battle with the Russians, demonstrating that they have ruined the chances of attaining any effective international control of atomic energy and in effect suspend the work of the Atomic Energy Commission.

General McNaughton clearly favored the first alternative although he indicated that there might of course be factors of a broad political character which would indicate that the second alternative would be preferable. In any event, he thought it was essential to choose immediately one or the other of these alternatives, prepare actively for the General Assembly along the lines indicated, and stick to this line. The worst solution would be to get the two alternatives mixed up. If there were ever a time when clear cut decisions are needed, this is the time.

Mr. Jessup observed that negotiations now in progress in Moscow with regard to Berlin and Germany might have a bearing on which course was chosen and it therefore might not be possible to make an immediate decision. McNaughton admitted this point and said he thought we should therefore develop two clear cut alternative plans along lines indicated and decide upon one or the other, if not immediately then at the earliest possible moment.

On the "propaganda approach" McNaughton felt that we could not possibly beat the Russians at this game. Moreover, our objective should be to get as much support as possible from the other members of the United Nations. If we engage in a propaganda battle with the Russians many members of the General Assembly, desiring to keep out of a

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<sup>1</sup> Not printed.

<sup>2</sup> General McNaughton's views on the British *aide-mémoire* of August 2, p. 375, were further set forth in a memorandum transmitted to Osborn on August 9, not printed.



Russian-American fight, will take no part in the discussion and simply abstain on any vote. The most important of the arguments against the propaganda approach was, the General feared, that it would close the door on any hope of eventual agreement with the Russians with regard to atomic energy.

On the latter point, the General said that as an engineer and military man, and one who had devoted much time to atomic energy over the past three years, he was more than ever convinced of the formidable character of the atomic bomb which had unleashed a new era of warfare. He did not at all share the view of some that the significance of the atomic bomb had originally been exaggerated. Because of his view, he thought it would be a tragic error (I gathered leading inevitably to war) to close the door on any possibility, however slight, of agreement with the Russians. If the door were clearly left open, he did not anticipate any immediate change in the Russian position merely because a majority of the Assembly had endorsed the Atomic Energy Report. It might be five years or even ten before the Russians would see the light, but we should at least keep on trying.

To simplify his view of the Russian position in the world with particular reference to atomic energy, the General classified the possibilities in three categories, namely: evolution, revolution and war. War of course is what we are trying to avoid.

Under the heading of evolution, the General has in mind the wearing effect of internal and external pressures leading to the gradual modification of policy by an "imperialistic" power. Given enough time, perhaps five years, perhaps ten, this evolutionary process might lead the Russians to come around to our way of thinking with regard to atomic energy.

Under the head of revolution, it was not inconceivable that because of internal dissensions not only within the Eastern European area but also within the Soviet Union itself, the death of Stalin or some similar incident, might lead to the coalescence of anti-Communist forces. The Western Powers would presumably wish to help such a coalition and might well lay down as a condition of such help, agreement on the effective international control of atomic energy.

In any event, whether the processes were evolutionary or revolutionary, any opportunity which we might have to achieve Russian agreement would be a very fleeting one; we must therefore keep all doors open and be ever keenly alert to take advantage of any such fleeting opportunity.

On the "educational" approach, McNaughton's idea seems to be that without any polemic we should clearly and patiently explain to the members of the General Assembly exactly what is involved in the

effective international control of atomic energy as set forth in the three reports by the Atomic Energy Commission. These reports stand unassailable on their merits. The character and necessity of the sacrifice of sovereignty required for the effective control of atomic energy should be stressed in terms of a broad concept of international organization. Our efforts should be two-fold: first, to educate the other members of the United Nations and get the maximum number of them committed; two, in effect to "plead" with the Russians to see that their ultimate security rests on a collective effort based on their willingness to make the necessary sacrifice of sovereignty.

On the specific question of what sort of action might be taken by the General Assembly, McNaughton felt that there should be a resolution which would in the first place endorse the three reports of the Atomic Energy Commission and would in the second place request the Atomic Energy Commission to continue its efforts in such ways as in its judgement it considered feasible. It was not entirely clear to me whether McNaughton would also favor as an additional point consultations among the Powers which sponsored the original General Assembly Resolution on atomic energy.

The General thought that General Osborn's views were close to his own. He doubted whether the British had really thought the problem through or really knew enough about it. He urged further United States, Canadian discussions as a first step towards concerted policy at the Assembly on this subject.

JOHN C. ROSS

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Department of State Disarmament Files

*The Department of State to the British Embassy*

SECRET

WASHINGTON, August 7, 1948.

UNITED STATES VIEWS ON THE UNITED KINGDOM AIDE-MÉMOIRE OF  
AUGUST 2, 1948 ON ATOMIC ENERGY

1. We agree with the United Kingdom view expressed in the memorandum of August 2, 1948 that the fundamental issue underlying the impasse on atomic energy is much broader than the atomic energy issue itself; that in fact, it includes the whole attitude and actions of the USSR toward the world community. This, indeed, is a fundamental tenet of the Third Report. But it is not clear from the United Kingdom memorandum whether the United Kingdom plans a frontal attack on the USSR on this broad basis or whether it merely plans to merge the issue of atomic energy in the discussion of Soviet obstructive tactics with respect to voting.

2. To follow the tactic suggested by the United Kingdom of inviting a wide-open debate on atomic energy rather than restricting the discussion to the concrete record already developed is to play right into the hands of the Soviet Union. Such a tactic will give the Soviets an opportunity for a general discussion and debate of their positions, in which kind of propaganda they can be more effective than the rest of us. We feel that by holding them down to a debate on the specific proposals submitted by the AEC after two years of work they will be forced to debate realities while at the same time the great majority of the other nations will vote approval rather than repudiate the findings of their own Commission.

3. In view of the short time before the General Assembly in September, it is extremely desirable to concert plans with friendly Governments at once. The atomic energy issue is unique in its complexity and it will take all the time we have to prepare non-AEC members for an informed debate. The quickest and surest means through which the UNAEC majority can lay plans to provide concerted leadership on the atomic energy issue in the General Assembly is through a continuation of the informal conversations in New York—tentative conclusions of which will, of course, be subject to review by the Governments concerned. The informal discussions in New York are simply a continuation of the discussions which have been held by the permanent members represented in the UNAEC majority during the past two years and which have made our work in this field possible and successful. The purpose of such meetings is not to bind the five Governments to any particular plan of action but to keep them mutually informed of proposed action as a basis for preserving their solidarity. It should also be pointed out that these conversations were not primarily initiated by the United States Delegation any more than by any other Delegation.

4. The atomic energy record of the majority is their strongest point in the security field. Failure to make it a major issue and to have an informed debate on it would not only run the danger of losing the results of two years of work on the part of the UNAEC but would quite possibly make it impossible to obtain a General Assembly vote of approval on the UNAEC plan, a plan which is the only firm basis for a resumption of UNAEC activities. Such a tactic would also make it possible for the Soviets to shift the blame for the present difficulties in the UNAEC to other Governments since atomic energy would be merged with other issues.

5. If the United Kingdom is not weakening in its support of the majority's position, as is stated in paragraph 6 of the August 2 memorandum, and if the United Kingdom is prepared to vote for a resolution of approval on the three reports, the United States wonders why



it is necessary for it to withhold sponsorship. (The French and Chinese Delegations have already informed USUN that their Governments are prepared to support joint sponsorship of the Resolution.)

6. The United States does not wish to ignore the importance of conventional armaments, but it wishes to subordinate this issue to atomic energy because the record of the majority in the CCA is none too strong and because of the danger of confusing and thus weakening the strong UNAEC record.\*

7. The repeated references of the United Kingdom memorandum to a United States plan to handle the atomic energy question "as an isolated issue" needs further clarification. It is to be presumed that atomic energy, conventional armaments, and the Article 43 agreements will appear on the GA agenda as separate items. They will, therefore, have to be considered in the order in which they are given. This does not mean that they must be treated as though they were in water-tight compartments. Each of these items will inevitably be related to the broad problem of establishing international security.

8. Some of the apparent differences between the views of the United Kingdom and the United States may be more verbal than real. A very useful way of determining the exact nature of the differences between ourselves and the United Kingdom would be to find out precisely what course of action the United Kingdom wishes to have eventuate from its proposed tactics. Such a concrete answer might offer a genuine basis for a meeting of minds.

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\*Since this was written, the French and Canadians have indicated that they believe that it is premature to attack the Soviet Union in this GA on the basis of its CCA record. [Footnote in the source text.]

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IO Files : US/A/1163, also AEC/22, also S/C.3/6

*Memorandum of Conversation, by Mr. Frederick Osborn*

CONFIDENTIAL

[NEW YORK,] August 11, 1948.

Subject: Atomic Energy and Conventional Armaments Policies in the General Assembly

Participants: Sir Alexander Cadogan, United Kingdom Delegation  
Mr. Falla, United Kingdom Delegation  
Mr. Frederick Osborn, United States Mission

Cadogan handed me a written memorandum of what he had in mind to say, which is as follows:

"As far as the United Kingdom Delegation can see, the differences between the United States and United Kingdom positions on this matter are of procedure rather than substance. In particular, the Foreign

Office have made it clear that His Majesty's Government do not in any way depart from their support of the majority proposals of the Atomic Energy Commission.

"The central idea of the Foreign Office as regards tactics in the Assembly is that the behaviour of the Soviet Delegations in the Atomic Energy Commission, the Commission for Conventional Armaments and the Military Staff Committee respectively is symptomatic of a wider problem, namely the abuse by the Soviet Union of its voting rights within the United Nations. They are strongly of the opinion that unless and until there is some sign of reform on the part of the Soviet Union, further discussions in these bodies will in all probability be useless and may foster dangerous illusions.

"The Foreign Office are consequently unwilling to commit themselves at present to the idea of presenting in the Assembly a *separate* resolution endorsing the substance of the latest atomic energy proposals. They fear that this would distract attention from the real difficulty, namely the Soviet attitude referred to above, and would obscure the fact that Soviet tactics have been equally obstructive in the Commission for Conventional Armaments and the Military Staff Committee.

"The Foreign Office are actively considering the best way of presenting the case in the Assembly on the lines suggested above. They hope therefore that the question of tactics may be left in suspense for a week or two, by which time they hope to be able to exchange further views with the State Department."

Cadogan modified this statement somewhat verbally, but with no addition to its content. I stated that with regard to general tactics dealing with the Soviet in the General Assembly on all three matters, any expression of opinion on my part was outside of my competence, but I would like him to know that I thought the United Kingdom proposal laid all of us wide open to a general debate in which all sorts of charges would be made, and in which Soviet propaganda was likely to make as much impression as the statements of other nations.

On the matter of atomic energy, it seemed inconceivable to me that the General Assembly should not debate and then vote upon a resolution similar in form to the resolution voted nine to two in the Security Council, approving the pertinent parts of the three Reports of the Atomic Energy Commission. Since such a debate and such a resolution appeared inevitable, it seemed best to prepare for it now, regardless of what tactics we adopted on larger issues. Certainly the strongest preparation would be for all those nations which have taken part in an expression of majority views in the Atomic Energy Commission during the past two years jointly to sponsor the resolution of approval.

Under the circumstances of our conversation, and unless I receive further instructions from the State Department, it is my opinion that it would be unwise for me to contact the other delegations in New



York until the British position is cleared up. I recognize that this means that the whole question of sponsoring the resolution may have to await our arrival in Paris.

Immediately following on this conversation, I telephoned Mr. Falla and asked him to inform Cadogan as follows:

"I have been considering our talk of this morning and am forced to recollect that twice in my experience, once last spring and once this spring, the British Government have attempted to prevent a vote on the Commission Report, or to introduce reservations. Under these circumstances, I cannot but take into account the possibility that this is again their intention."

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501.BB/8-1348: Telegram

*The Secretary of State to the United States Representative at the United Nations (Austin)*

SECRET

WASHINGTON, August 13, 1948—1 p. m.

530. Dept notes with satisfaction conversations held with representatives of UK, Canada, France and China on July 28, 1948, pursuant to Deptel 480.<sup>1</sup>

Dept has considered position of UK as set forth in Osborn's conversation with Cadogan on August 11<sup>2</sup> and in various communications from British Embassy. In Dept's view position taken by them does not lead to advisability of changing Deptel 480. Confirming telephone conversation Johnson to Osborn therefore, Dept suggests consultations with all members of AEC majority pursuant to Deptel 480.<sup>3</sup>

British Embassy has been informed today<sup>4</sup> (a) that USUN will discuss joint sponsorship with all members of AEC majority; (b) that Dept hopes that after seeing its memorandum of August 7<sup>5</sup> the FonOff will liberalize its instructions to Cadogan; (c) that it will be

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<sup>1</sup> Telegram 480 to New York, July 27, p. 368.

<sup>2</sup> *Supra*.

<sup>3</sup> The memorandum of the telephone conversation under reference, August 12, indicates that Johnson communicated to Osborn the instructions contained in the present telegram. Osborn expressed doubt as to the wisdom of contacting other delegations until the British position was cleared up. (Department of State Disarmament Files) However, in telegram 1029 from New York, August 18, Osborn reported that all majority delegations except Syria had been consulted regarding debate on atomic energy in the General Assembly and the possibility of joint majority sponsorship of a resolution similar to that which had been submitted by the United States in the Security Council (for substance of the latter resolution, see telegram 382 to New York, June 11, p. 347). Osborn stated that all consulted delegations "show real enthusiasm and should hear from their governments shortly." (501.BB/8-1848)

<sup>4</sup> The information was actually transmitted by Raynor and Johnson in a conversation with Denis Allen, Counselor of the British Embassy, on August 12 (Department of State Disarmament Files).

<sup>5</sup> *Ante*, p. 383.



extremely helpful to Dept to have more detailed information as to the GA plans of the FonOff, since information thus far received does not convince Dept as to advisability of changing its position.

MARSHALL

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Department of State Atomic Energy Files

*Memorandum for the Secretary of State*<sup>1</sup>

TOP SECRET

[WASHINGTON,] August 20, 1948.

PROBLEM

Action to be taken on Dr. Niels Bohr's<sup>2</sup> proposal for "Openness."

FACTS BEARING ON THE PROBLEM

See Appendix A.

DISCUSSION

See Appendix B.

CONCLUSIONS<sup>3</sup>

1. Dr. Bohr's proposal for openness should not be made by the United States at this time.

2. In view of the domestic political situation and the danger of "leaks", the Department of State should not undertake an intensive study of this proposal and its ramifications until elections are over and any changes that may result therefrom have occurred.

3. After the elections, the Department should sound out the then-responsible political leaders on the extent of their support for a thorough study of the proposal in terms of its feasibility, repercussions on national security, chances and consequences of Soviet acceptance, propaganda and moral value at home and abroad in event of Soviet refusal, etc.

4. Further study of the proposal should be dependent upon the results of such soundings.

5. Meanwhile, the United States should use those elements inherent in the Bohr proposal which are also inherent in this Government's approach to world problems in developing a dominant theme in the General Assembly. In doing so, the United States could expound on

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<sup>1</sup> Presumably drafted by R. Gordon Arneson, who in July succeeded Edmund A. Gullion as Special Assistant to the Under Secretary of State for atomic energy policy.

<sup>2</sup> Danish theoretical physicist and pioneer in the development of nuclear physics; adviser, Manhattan Engineer District (United States atomic bomb development program), 1943-1945.

<sup>3</sup> The Secretary of State initialled his approval of conclusions 1-6.

the kind of world in which it would like to live, a world of openness in which (a) politically independent states could work out their own destinies free of coercion; (b) problems before the United Nations and in other forums could be worked out through the free interplay of ideas, and decisions could be made and carried out on a cooperative basis; (c) persons and ideas could be interchanged on the basis of full reciprocity. In this connection:

a. The United States should cite its record in foreign relations which demonstrates its efforts to achieve this kind of world, the most cogent example being negotiations for the international control of atomic energy.

b. In citing the record, the United States should make clear, either directly or by implication, the role of the Soviet Union in preventing the development of such a world community.

c. The United States should call upon all nations to fulfill their responsibilities to the world community to the extent necessary to attain effective solutions to common problems.

d. No "offer" in the sense of the Bohr proposal should be made: stress should be put on the past and continuing efforts of the United States to achieve an open world.

6. Conclusion 5 (with reference to the Bohr proposal as such omitted) and those sections of Appendix B "Discussion" pertinent thereto should be referred to UNA for consideration in preparing the line to be taken by the United States in the General Assembly.

7. Dr. Bohr should be informed of the action decided upon by the Department.<sup>4</sup>

#### Appendix A

##### FACTS BEARING ON THE PROBLEM

1. In the latter part of May, the Secretary of State received through Mr. McCloy<sup>5</sup> a paper from Dr. Niels Bohr which advocated that the United States should make a broad offer to the Soviet Union to exchange all scientific and technical information with the Soviet Union on a reciprocal basis. In brief the argumentation was along these lines: (See Tab A, Bohr's "Comments", dated May 17, 1948, Tab B, Bohr's letter of June 10, 1948, to Secretary Marshall, and Tab C, Bohr's "Annotations" dated June 19, 1948).<sup>6</sup>

A. Failure to overcome the impasse that now exists between the East and the West can only lead to the most terrible of wars in which no one can win.

<sup>4</sup> In a marginal comment opposite this conclusion, Marshall stated "I am not yet clear in my own mind on this."

<sup>5</sup> John J. McCloy, President of the International Bank for Reconstruction and Development; Assistant Secretary of War, 1941-1945; Member, Secretary of State's Committee on Atomic Energy, 1946.

<sup>6</sup> The accompanying tabs, A-M, are not printed.

B. The way out of this impasse lies in the raising of "a great issue suited to invoke the highest aspirations of mankind."

C. This great issue would be an offer by the United States of complete "openness" among the peoples of the world directed in the first instance to the Soviet Union.

D. If such an offer were made, the United States would stand to gain whether the Soviet Union accepted the offer or not.

(1) If the Soviet Union accepted the offer it would mean the end of the Iron Curtain and a change in the whole Soviet system of government with genuine participation on their part in the world community. The present impasse would be overcome and the world could proceed on the basis of a growing understanding to reconstruct the peace.

(2) If the Soviet Union refused—and it is most likely that they would—the United States would have rallied the forces of liberalism throughout the world to its standard. The Soviet Union might well find itself in such a position that all hopes of extending its influence further in the world would be lost.

E. As to the security aspect of this proposal Dr. Bohr maintains that the security of the United States would be strengthened rather than weakened if the offer were carried through. Under present security phobias the United States is strangulating itself and is in danger of falling behind in many fields of science and technology. Moreover, giving the Soviet Union all information concerning atomic energy processes including the making of bombs (but not the bombs themselves) would probably so confuse and overawe them that no net advantage would accrue to them. The United States on the other hand would gain much knowledge of the Soviet Union and would have breached the Iron Curtain which stands as the greatest threat to world peace and security.

F. If it were to make this offer, Dr. Bohr emphasizes that the United States would have to be prepared to carry it through in all honesty. This requires the most meticulous study preparatory to any final decision on the idea.

G. Dr. Bohr, aware that a vast educational program directed to public understanding of this problem would be required, and that the greatest popular fear which would have to be overcome concerns security, concludes that the one man who could carry conviction to the country on this matter is the present Secretary of State. This is so not only because of his unquestioned integrity, but also because he is identified in the public mind with the highest security interests of the country.

2. On May 20 the Secretary had dinner with Dr. Bohr and Mr. McCloy at which time the Secretary expressed concern about the security aspects of the proposal and asked Dr. Bohr to elaborate his pro-



posal in greater detail. This was done in a letter of June 10, 1948. (See Tab B.) The Secretary asked Mr. Baruch for his views which were received on June 2. Mr. Baruch commented that "a great issue was raised, suited to invoke the highest aspirations of mankind" when the United States made its atomic energy proposals of June 14, 1946. (See Tab D.)

3. The problem was referred for follow-up to the Special Assistant to the Under Secretary. Mr. Gullion and Mr. Arneson undertook a series of discussions with key people in Government service and others who had previously been connected with atomic energy matters. These included :

Mr. Dean Acheson <sup>7</sup>

Dr. Robert F. Bacher <sup>8</sup>

Mr. Benjamin Cohen <sup>9</sup>

Dr. Paul C. Fine <sup>10</sup>

Mr. John J. McCloy

General K. D. Nichols <sup>11</sup>

Dr. J. Robert Oppenheimer <sup>12</sup>

Mr. Frederick H. Osborn

The resultant Memoranda of Conversation are attached as Tabs E through M.

4. The consensus that developed from these conversations was as follows :

A. Dr. Bohr had hit upon the nub of the difficulty with the Soviet Union. Many people, however, have also perceived this.

B. Only a most meticulous study of all ramifications of the proposal could reveal whether it was feasible and desirable.

C. Such study could be effective only if the group doing it were given full access to all atomic energy and military weapons data and included highly competent personnel from the departments and agencies of government concerned, particularly the Atomic Energy Commission and the National Defense Establishment. (If the group were composed of individuals brought together under the auspices of some non-governmental organization, effective liaison with appropriate Governmental bodies would be imperative.)

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<sup>7</sup> Under Secretary of State, August 1945-June 1947.

<sup>8</sup> Member, United States Atomic Energy Commission.

<sup>9</sup> Counselor, Department of State, September 1945-July 1947.

<sup>10</sup> Adviser, United States Delegation to the United Nations Atomic Energy Commission.

<sup>11</sup> Maj. Gen. Kenneth D. Nichols, Director of the Armed Forces Special Weapons Project; Member, Military Liaison Committee to the United States Atomic Energy Commission; District Engineer, Manhattan Engineer District, 1943-1945.

<sup>12</sup> Director of the Institute for Advanced Study, Princeton, New Jersey; Chairman of the General Advisory Committee of the United States Atomic Energy Commission; Director of Los Alamos Laboratories of Manhattan Engineer District, 1943-1945.

D. Present public opinion as reflected in Congress and throughout the country generally would not support the Bohr proposal without an intensive campaign of public education. Any inkling at this time that the Government was giving serious study to the proposal would raise a frantic hue and cry from all quarters and the whole issue would be thrust—with chaotic results—into the political campaign.

E. It would be difficult to initiate any thorough appraisal of the Bohr proposal intra- or extra-governmentally without having it become known.

F. The forthcoming elections add additional complications. Whatever the outcome of the elections, common prudence would require that this matter be discussed with, and support obtained from, the leading Republican figures, including, at minimum, Governor Dewey, John Foster Dulles, Senator Vandenberg and Senator Hickenlooper before an intensive study is initiated.

5. On June 14, 1946, the U.S. made a sweeping offer of "openness", supported by adequate safeguards in the field of atomic energy. As elaborated over the past two years by the UNAEC, the plan for atomic energy control would produce in this one field, and as a prototype for other fields, an atmosphere of complete openness. The majority has committed itself in the Second Report of the UNAEC to a policy of no secrecy in this field, once a fully effective system of control is established. The majority proposals place great stress on adequate safeguards. Although the issue of "no veto" received undue attention in the public press during the negotiations and blurred the focus, the elements of safeguards required are essential to the plan and would be equally required in the Bohr proposal.

6. The UNAEC in its Third Report, dated May 17, 1948, has come to the conclusion, after more than two years of intensive study, that the continued intransigence of the Soviet Union and its satellites and their unwillingness to participate in a cooperative world community, arises from a situation beyond the competence of the Atomic Energy Commission. Therefore the majority recommended that until such time as the Soviet Union showed its willingness to participate in the world community to the extent required by the majority proposals, negotiations in UNAEC should be suspended. The first two reports of the UN Atomic Energy Commission, which comprise the majority proposals General Findings (Part II C) and Recommendations (Part III) of the First Report, Specific Proposals (Part II) Second Report, and the Report and Recommendations of the Third Report, which contains the recommendation for suspension, have been referred to the General Assembly and will be on its agenda this fall. Present plans are for the members of the majority of the UNAEC to sponsor jointly a resolution in the General Assembly approving the majority proposals for control, and the recommendation for suspension.



7. As far as the diagnosis of the disease is concerned the majority of UNAEC and Dr. Bohr are in agreement: The stumbling block is the attitude of the Soviet Union. The difference lies in that Bohr proposes that we try again on a much broader and more nebulous base. The majority considers that those elements of cooperation essential not only to atomic energy control but also to eventual control of other weapons of mass destruction have been firmly established, and that it remains for the Soviet Union to agree and that, in the absence of such agreement, the peoples of the world should understand the nature of the impasse that exists.

#### Appendix B

##### DISCUSSION

#### *A. Need for Thorough Study*

1. The Bohr proposal is admittedly made only in general terms. Bohr feels that the details, while exceedingly important, are beyond his competence and must be considered by those more familiar with the political and military aspects involved. No one can quarrel with what might ideally be achieved under his proposed offer. One must raise sharply, however, queries concerning methods and tactics of implementation. These queries can be answered only by most thorough-going study, which would require imaginative people from many areas of Government, notably the Department of State, the National Defense Establishment and the Atomic Energy Commission. What the net conclusions of such a study would be, no one can say at this time.

2. The crucial ingredient in any complete examination of the proposal is knowledge. This can come only from people in the various agencies who would have full access to their particular phases of information. This involves key people who could not take part in such a study without making its existence known. It appears likely that knowledge of the existence of such a project if initiated now would be used in the election campaign with resulting jeopardy to the study itself.

3. On so important a matter as this, it is evident that it could succeed only if—after having been determined to be feasible in a technical sense—it secured not only the support of key figures in both political parties but the overwhelming understanding support of the U.S. public. While the bi-partisan approach in foreign affairs has been eminently successful during the war and since, and might in fact prove possible on this matter, the current build up of the election campaign makes a coordination of viewpoint on this proposal exceedingly complicated. At minimum, the Administration would need the support of



Governor Dewey, John Foster Dulles, Senator Vandenberg and Senator Hickenlooper. It may well be that these gentlemen would not wish to indicate any reaction to the idea in its present general terms in the absence of a thorough study and in the expectation of a Republican victory at the polls this fall. It is reasonable to assume that they would prefer, if any study is to be undertaken, that it be done under a new Administration.

*B. Probable Soviet Reaction to Offer*

4. Apart from the specific technical aspects of the problem there are certain points that can now be made in advance of a full examination of all phases. These deal primarily with probable Soviet reactions. Dr. Bohr has stated that the United States would stand to gain whether the Soviet Union said "yes" or "no." It seems evident that real moral and psychological advantage would accrue to the United States should the Soviet Union give a flat "no." It may be presumed, subject to further study, that the United States would stand to gain if the Soviet Union accepted the offer. There is, however, a twilight zone which appears to be the most likely contingency. It is very much to be doubted that the Soviet Union would give either a flat "yes" or "no" answer. In all probability the Soviet Union would do something in between giving only the appearance of acceptance, coupled with counter proposals and demands, similar to, if not identical with, their actions in the UNAEC negotiations. The Soviet Union would probably mount a terrific counter-attack along the followings lines:

The United States has sought continuously to gain control over the affairs of other nations through ECA, through atomic energy control, and many other actions since the end of the war. The United States seeks to dominate the world. Further evidence of this is their proposal for "openness". Such a proposal is a crude attempt to interfere in the internal affairs of states. It is a gross assault on national sovereignty of nations. It is an attempt to obtain intelligence the United States has been unable to obtain by other means. One need only observe that while the United States is making what it calls a sweeping proposal of openness it continues to manufacture, stockpile, and intimidate the world with, the atomic bomb. If the United States is serious in its protestations for a peaceful world why then do they not give up the weapon, outlaw its use, and destroy the present stockpiles?

5. The foregoing theme with infinite variations would, in all probability, be played by the Soviet Union to the point where the "great issue suited to invoke the highest aspirations of mankind" would become a very sorry thing indeed. The issue would become so confused that even those great numbers of people who would have been greatly lifted up by the original offer would begin to have doubts about the motives of the United States. The result predicted

by Dr. Bohr that the Soviet Union would alienate all liberal thought and put itself in a hole, would not be realized.

6. In corroboration of the foregoing one need only to recount the history of the atomic energy negotiations in the United Nations. As Mr. Baruch rightly points out in his letter to the Secretary, the original United States proposals for atomic energy control constituted "a great issue suited to invoke the highest aspirations of mankind." It did indeed lift the hopes of men when it was made. There is perhaps in history no greater offer and it was generally recognized as such by all thinking people. But what happened? It is significant to note that the Soviet Union has never claimed that the proposals evolved from the United States offer, namely, the present UNAEC majority proposals, were unsuited to the task of controlling atomic energy for peaceful purposes only. The Soviet Union has never laid stress on the merits of the proposals themselves but have sought—and to a degree succeeded—in confusing the issue by appeals to national sovereignty, independence of states, charges of imperialism and monopoly against the United States, and demands that atomic bombs be outlawed and destroyed. As a result the challenge of the great issue has become so blurred that the man on the street doubts whether the offer ever should have been made and many do not realize that the United States has offered to give up its atomic bombs when an adequate control system is in effect.

### *C. The Problem of Stages*

7. Mr. Baruch in his reply to the Secretary of June 2 (Tab D) points out that Dr. Bohr had stated "a number of truisms, but he does not say how we can arrive at them." Bohr's proposal lacks any spelling out of stages although he does suggest the following general approach: a preliminary conference to determine whether the proposition were acceptable "in principle". [Here one must point out that the Soviet Union has already accepted many propositions "in principle", including "strict international control of atomic energy".]<sup>13</sup> This conference would be followed by a balancing out of information and access that nations would be willing to provide. Once a rough balance had been struck and found to be mutually advantageous to all, a regime of openness would be implemented immediately. In commenting upon time scale and the problem of stages in connection with the UNAEC plan of atomic energy control, Dr. Bohr considers that failure to achieve agreement on that plan demonstrates the necessity of "a line of policy, directly aimed at mutual openness on a still broader and more immediate basis than contemplated in the American proposal" (Tab B.

<sup>13</sup> Brackets appear in the source text.



Underscoring supplied). Moreover, he stated in his brief "Annotations" of June 19, that: "Altogether, the eventual acceptance of an offer of full mutual openness and the actual admittance of observers may, in fact, be said to be an irreversible step." (Tab C).

8. The issue of stages is a crucial one. It cannot be assumed that any country would be prepared to enter into a regime of openness at one leap. In working out what would appear to most reasonable men to be a fair and just sequence, one can be sure that the Soviet Union would find much material for propaganda charges. They could haggle, delay, and accuse *ad infinitum*, *ad nauseam*, in the working out and the implementation of stages. This might indeed be the method they would employ in sabotaging the whole offer even if they agreed initially to the general idea, in principle.

9. It is in working out this aspect of a great issue that the issue itself tends to be lost sight of in the welter of grubby detail and step-by-step caution.

#### D. *The Basic Difficulty*

10. The Bohr proposal strikes at the heart of the difficulty between the East and the West only in a limited sense. The Iron Curtain is a major symptom of the disease that infects the Soviet Union. That disease would appear to be primarily mental. The Soviet state is characterized by a fanatical materialist ideology. It has effectively harnessed Czarist Russian imperialism, traditional Russian xenophobia, modern propaganda techniques, Marxian ideology, and a police state so that its ability to impose its will on its own people and those of other nations is tremendous.

11. All nations are guilty of a certain egocentrism. This is an easily understood psychological and sociological phenomenon. Among nations, however, with certain common traditions, culture patterns, institutions, and ways of thought, this egocentrism need not give rise to basic misunderstandings and conflict. Western nations may quarrel with their friends but, in most instances at least, they have a sufficient working knowledge of what their friends' thought processes, ambitions and needs are to give effective accommodation to them. The Soviet Union, however, is not in this community of nations. It has deliberately turned its back to it and suppressed those elements and forces that would tend to foster Soviet participation in the world community. It emphasizes its different history and its long-standing isolation. Words, morals, and a code of ethics do not mean the same to them as to us. Actions have different meanings. Aspirations are of a different character. It is as though the Western world considers that two and two make four, while the Soviet Union considers that these two numbers add up to different totals at different times. And this is



more than mere analogy. Soviet philosophy in the fundamental sense rejects the Aristotelian concepts of form and discreteness and is based on theories of interaction and merging of identities along the lines of Bergsonian creative evolution. One may indeed say that when the basic tools of thought are different one can conclude that there can be no real meeting of minds.

12. Complete openness would not in itself change this hard core of difference. It would have, to be sure, positive effects. If the West were able to make its thought and action known directly to the people of the Soviet Union, the comparisons that the Soviet people might make would not be invidious to the West. A long period of full intercourse might bring about gradual changes in the basic premises of the philosophy of the Soviet State and its tenets of faith. Most important, it would be in the long run permit the masses of the people to exert their influence on large issues. Openness would also wipe out many of the physical paraphernalia of the police state and lay it open to the fresh breezes of common sense and appreciation of the nature of the rest of the world.

13. But because the police state paraphernalia is not the core of the Soviet State itself but a manifestation of its different orientation of thinking which is as real to the Soviet mind as Western thought patterns are to Western peoples, it is inconceivable that the Politburo could be induced to accept the offer in good faith. They could not do so and continue to exist as they are. As has been indicated above, such an offer would in all probability give rise to a furious attack on the motives and objectives of those making it.

#### *E. The General Assembly: Soviet Peace Offensive*

14. There has been much speculation, and our Embassies abroad have been queried on this point, as to what line the Soviet Union may take in the next General Assembly. Thus far the plurality, if not the majority, opinion is that the Soviet Union will launch a peace offensive. This might take many forms. The Soviet Union may offer crumbs of concessions in Germany, in Korea; it may blandly suggest that certain commercial air rights be granted in the Soviet Union, that some increase in travel be permitted, that more consulates be established. To accept such offers as moves toward openness would be dangerous, for they would in all probability not indicate a change in heart but a temporary tactical maneuver.

15. It has been suggested that such a Soviet line makes it necessary for the United States to appear more peaceful than the Soviet Union. This would not be difficult to do, since the contrast is evident. But peacefulness must not be equated with docility.

16. The United States is a member of the majority which has recommended that, the nature of the impasse being what it is, negotiations in the UNAEC should be suspended. Fear of the Soviet peace offensive has caused some doubts to be raised whether the United States should hold firm on this recommendation.

*F. United States Line in General Assembly*

17. A possible Soviet peace offensive should be met with firmness. Peaceful protestations on the part of the Soviet Union can readily be tested. The record on many issues in the United Nations is clear. Most of the members of UN have been able to compose honest differences, to work out honorable compromises, and to propose effective solutions to outstanding problems. Throughout its history the United Nations has been faced with "the everlasting no" of the Soviet Union. The most vital example in this connection is the majority control plan for atomic energy. If the Soviet Union intends to show a face of sweetness and light in the next General Assembly, it should be asked politely but firmly if this means it is ready to agree to the majority plan of control. If its answer is "yes," there is ground for restrained optimism. If its answer is "no," the peace offensive can be shown to be lacking in substance.

18. Throughout the history of the United Nations and the postwar period, the record clearly shows that the United States has sought to arrive at fair solutions to outstanding problems. In this endeavor it has been joined by a preponderant majority of the nations concerned. While not making an offer of openness along the lines of the Bohr proposal, the United States can properly cite the record over the past several years which demonstrates its efforts to foster the development of the peaceful, cooperative world in which we want to live. This is a world in which politically independent states can work together to reach common solutions to common problems. This is a world in which views can be freely exchanged and information required for the solution of problems is made freely available (it was the United States which gave to the UNAEC a large bulk of technical and scientific information—properly declassified—which was required for a proper understanding of the nature of the problem of atomic energy control and the soundness of the United States proposals). This is a world where decisions can be made on the basis of the combined thinking of the nations concerned.

19. The record is clear that throughout these endeavors the Soviet Union and its satellites have stood in the way of just and equitable solutions. The record can be cited at great length. It is appropriate that the blame for the impasse on many issues be placed where it belongs.



20. An opening speech in the General Assembly along the lines of the foregoing would meet frontally any Soviet peace offensive. It would be possible with this approach to ask the Soviet Union again and again precisely what it means, to point out that words are of little consequence unless they are substantiated by deeds, and that the way to demonstrate good faith in the interests of peace is to cooperate not only in the solution of common problems but also in the implementation of the decisions reached. The bellwether of this approach can very well be atomic energy control, for it is in this field that the record of the United States is clearest, the issues are sharpest, and the intransigence of the Soviet Union is most evident.

21. Whatever may be the ultimate decision on the Bohr proposal, a General Assembly theme along the lines of the above would in no way jeopardize either rejecting the Bohr proposals or accepting them in full at a later date after they have been given the closest study. Indeed Dr. Bohr himself in the closing paragraphs of his letter to the Secretary (Tab B) has the following to say on this point.

"If the international and domestic situation favored it, the most direct step would be a concrete proposal of universal openness, aimed at prompt realization. Yet, if such a procedure would not be deemed timely, it might be found suitable, after proper preparations, to use an early occasion, when re-stating the general lines of American policy, to stress the urgency of fullest mutual openness and express readiness to entertain proposals to this effect.

"Even the preliminary approach, consisting of a declaration of aspiration and intent, might perhaps elicit an answer which could serve as a further stepping stone. But irrespective of such response, this initiative should contribute decisively to clarify the situation; it would greatly strengthen the moral position of all advocates of genuine international cooperation and bring adversaries everywhere in rapidly increasing difficulties."

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500.C 1113/8-2648

*The Counselor of the British Embassy (Allen) to Mr. G. Hayden Raynor, Special Assistant to the Director of European Affairs (Hickerson)*

PERSONAL AND CONFIDENTIAL

WASHINGTON, August 26, 1948.

DEAR HAYDEN: With reference to our conversation this morning, I enclose a paraphrase of the telegram from the Foreign Office which I showed you, setting out their views on the handling of security questions in the United Nations Assembly.

The Foreign Office fully share the State Department's desire that there should be a meeting of minds between us on this subject, and Jebb will of course be ready to discuss the whole matter with you



further.<sup>1</sup> The Foreign Office have indicated that he may be able to bring with him the sketch of a draft resolution designed to give effect to the proposals which the Foreign Office have in mind.

Yours sincerely,

DENIS ALLEN

[Enclosure]

PARAPHRASE OF TELEGRAM RECEIVED FROM THE FOREIGN OFFICE,  
DATED AUGUST 19TH, 1948

We recognise and share the desire of the State Department to secure the widest possible measure of acceptance in the General Assembly of the majority decisions of the Atomic Energy Commission. Suppose, for the moment, that we adopt the United States plan of procedure which, as we understand it, is to concentrate entirely on this issue, and to procure a two-thirds majority in the Assembly for a resolution (dealing solely with the item on the Provisional Agenda comprising the Security Council's special report) endorsing the majority decisions of the Atomic Energy Commission. We understand that in order to concentrate on this aim (and for other reasons which include apparently some apprehension about the record of the majority in the Disarmament Commission) the State Department want to keep any discussion of disarmament in the Assembly to the minimum if it cannot be altogether excluded.

2. We agree that it is likely (perhaps it should not be put higher) that a two-thirds majority could be secured for such a resolution. We should expect that it would provoke a heated debate, in the course of which the Russians would argue along the following lines. Why, they would ask, was this attempt being made to railroad through a majority decision on this specific and isolated issue? This contrasted oddly with the marked lack of enthusiasm for any discussion of disarmament in the Assembly. Is not the reason that the Americans are anxious to get their own views adopted, wind up the Atomic Energy Commission on the pretext that no progress is possible, and thereby hang on to their own advantage in the field of atomic energy? While, as regards disarmament, the Americans have not felt any need to press for a decision one way or the other because they are not interested in what happens in this field so long as they retain the monopoly of the atomic bomb.

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<sup>1</sup> H. M. Gladwyn Jebb, British Assistant Under Secretary of State for Foreign Affairs and Superintending Under Secretary for the United Nations (Political) Department of the Foreign Office, was scheduled to participate in United States-United Kingdom-Canadian discussions in Ottawa and Washington concerning the impending General Assembly; see minutes of the meetings of August 30-31, *infra.*, and September 3, p. 407.

3. We think that this would be an embarrassing situation to have to face and that it is the Americans who will be presenting the Russians with the opening for it. We do not of course suggest that such charges could not be answered. But it is true that the Americans have shown no great interest in the Disarmament Commission (what running there has been in that body has been primarily made by ourselves) and we think that the impression created on public opinion generally might well be to credit the argument in the last sentence of paragraph 2 above.

4. Whilst, therefore, we should have secured the wide backing which the Americans (and we ourselves) desire for a concrete plan for atomic energy development and control, the objective would be a relatively limited one: it would be secured in the face of damaging attacks in other directions: and what is, in our view, the root of the matter would have only been partially tackled.

5. This root point is, as we see it, that progress in the United Nations is not possible unless a real attempt is made to regard majority views (especially when the majority is overwhelming) as something to which individual views (unless it is a question of life and death or of one party being put in a demonstrably unequal position) should in general defer.

6. No such attempt is made at present. In the Security Council this results in the abuse of the right of veto. In the atomic energy, disarmament and Article 43 fields, the veto lies in the background, but as the ultimate sanction of the recalcitrant minority, not as the immediate issue which confronts us.

7. The immediate issue in all the three fields concerned (and hence our reason for bracketing them) is that there is a strong or overwhelming majority view on basic principles which the minority refuses to accept. The atomic energy position is admittedly the most serious because of the far more advanced work done on it, which could speedily be made a reality if there were general agreement. But in all three fields there is a clear split on basic points. It is this common aspect of the position which so perturbs us. The matters concerned are of fundamental and vital importance to all Governments, and if the minority choose to stand on their rights, they are entitled to do so. But how then can any progress be made? It should be clear from the work of all three bodies (and we can stress again the real magnanimity of the offer embodied in the Baruch Plan) that no attempt is being made by the majority to put any country in an inferior position vis-à-vis the rest in these matters.

8. If we take this general line we foresee the following advantage over the American line of tactics.



9. First, by taking the initiative ourselves on these general lines, we should forestall any attempt by the Russians to claim that no real attempt has been made to carry out the recommendations of the Assembly Resolution of December 14th, 1946. Quite conceivably this may be a major Russian intention as regards the work of the forthcoming Session.

10. Second, we should cover ourselves at our (or, rather, the Americans') weak point, namely that there has been great vigour displayed over the work of the Atomic Energy Commission, but very little over the work in the other two fields. At least, in *all* of them basic principles have been agreed by a majority and rejected by a minority.

11. Third, we should in the course of our argument (and in the drawing of any resolution) be able to request the Assembly specifically to endorse the majority decisions of the Atomic Energy Commission and of the Disarmament Commission (assuming the latter to be brought to the attention of the Assembly) and thus to cover the main American preoccupation.

12. Fourth, we should be able to try to conduct the discussions on an objective basis (as an "all party" investigation into where the United Nations has failed so far) and in this broader setting to avoid as far as possible individual recriminations against the Russians which will get us nowhere. The "wide open debate" would not be upon atomic energy, but on fundamental problems of the United Nations: but in the course of its development there would be a discussion of the "concrete record" of the majority decisions of the Atomic Energy Commission as an *illustration* (to be followed by others) of the situation described in paragraphs 6 and 7 above, not as the sole, even if the most striking, example.

13. Fifth, we should try (and the procedural difficulties do not seem insurmountable) to streamline the course of debate in Committee I so as to have (a) a debate on the veto (as it emerges from the report of the Interim Committee) and (b) a debate on the triple field of atomic energy, disarmament and Article 43 security (linked together by the Resolution of December 14th 1946) rather than (a) one on the veto, (b) one on atomic energy, (c) one on disarmament (whether proposed by the Russians or arising from a special report by the Security Council) and perhaps (d) one on Article 43. All this might well save as regards time and repetition of acrimonies with the Russians, without sacrificing any major point of principle.



IO Files: US(P)/A/17

*Memorandum of United States-United Kingdom-Canada Staff  
Conversations, Ottawa, August 30-31, 1948*

[Extract]

SECRET

SEPTEMBER 3, 1948.

Subject: Forthcoming General Assembly

Participants: Canada—Mr. L. B. Pearson;<sup>1</sup> Mr. Escott Reid; Mr.  
Jerry Riddell; Mr. E. A. Cote; and othersUnited Kingdom—Mr. Gladwyn Jebb; Mr. G. E.  
Boyd Shannon, United Kingdom High Commis-  
sioner's Office

United States—Mr. Dean Rusk, Mr. Hayden Raynor

3. *Atomic Energy, Disarmament and Military Staff Committee*

Mr. Jebb presented the United Kingdom views tentatively outlined in Tab A.<sup>2</sup> He stated that the United Kingdom position had apparently been misunderstood during the past two or three weeks and that they had no idea whatever in weakening in their support of the report of the Atomic Energy Commission. According to Jebb, the United Kingdom is 100% for the Atomic Energy Commission reports *with publicity*. Their principal interest was to demonstrate that in the fields of atomic energy, disarmament, the Military Staff Committee and the veto, that the attitude of the minority was blocking effective United Nations action, and that this constituted one of the most serious and fundamental problems confronting the United Nations. He made it clear that he was thinking of a suspension of the work of the Commission for Conventional Armaments and the Military Staff Committee on much the same grounds as the work of the Atomic Energy Commission. He envisaged an omnibus resolution covering all three points.

Mr. Pearson and Mr. Rusk repeated the known Canadian and United States views, expressing concern that there be no attempt to play down the atomic energy situation.<sup>3</sup> In order not to confuse the three questions, which presented quite different problems, the possibility of breaking an omnibus resolution up into three general sections

<sup>1</sup> Lester B. Pearson, Canadian Under Secretary of State for External Affairs; became Secretary of State for External Affairs on September 10.

<sup>2</sup> Not printed.

<sup>3</sup> Pearson and Rusk had discussed this question *inter alia* at Washington on August 20. The memorandum of that conversation indicates that Pearson made it clear that the Canadian Government favored the United States position stressing atomic energy control and opposed the British plan of combining atomic energy with the disarmament and Article 43 questions. (Department of State Disarmament Files)

was discussed, along with the possibility of three quite separate resolutions.

All present agreed that a minimum requirement would be to educate the Members of the Assembly on the issues raised by atomic energy control and to ensure that all delegations understood the meaning of the three reports. Mr. Rusk suggested that if it were desirable to extend the atomic energy debate into regulation of armaments and Military Staff Committee matters for the purpose of demonstrating the recalcitrant conduct of the minority, it might be well to go one step further and point to the conduct of the minority in blocking a political settlement across a broad front. He stated that it would be possible to take the initiative and force the USSR to accept the responsibility for the absence of political confidence which is prerequisite to progress in the field of the regulation of armaments.

There was general agreement that the three subjects could be kept separate in debate (for instance, a debate in three distinct parts), and possibly linked at the end of the three-phase debate in a single resolution. Pearson and ourselves pointed out certain procedural difficulties in such a plan. With respect to the wording of the draft British resolution, Jebb admitted that the British would be willing to insert stronger language than "taking note" of the atomic energy reports. There seemed to be a tendency toward a consensus that, if there should be an omnibus resolution, rather than providing for suspension on conventional armaments and on the Military Staff Committee, such a resolution could regret the lack of progress in these fields and list the reasons preventing such progress.

It was agreed that it would be important for Mr. Jebb, General McNaughton and Mr. Osborn to discuss this subject further in Washington during the present week (this meeting has been set for Friday morning, September 3).

[Here follows discussion of another subject.]

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IO Files : SD/A/C.1/176

*Position Paper Prepared in the Department of State*

CONFIDENTIAL

[WASHINGTON,] September 1, 1948.

WITHDRAWAL OF TROOPS FROM TERRITORIES OF OTHER MEMBER NATIONS

THE PROBLEM

The General Assembly on December 14, 1946 adopted a resolution on "Principles Governing the General Regulations and Reduction of Armaments" (A/267), paragraph 7 of which provided in part: "It



(the General Assembly) *Recommends* the Members to undertake . . . the withdrawal without delay of armed forces stationed in the territories of Members without their consent freely and publicly expressed in treaties or agreements consistent with the Charter and not contradicting international agreements; . . . ”<sup>1</sup> In the forthcoming session of the General Assembly there may arise the question of the extent to which this recommendation has been carried out by the Members.

#### RECOMMENDATIONS

1. If any complaint should be made to the General Assembly that the United States has failed to comply with the resolution quoted above, the United States delegation should make an appropriate reply on the basis of the latest information furnished to it. (See comment below.) In its discretion, the delegation may include in its reply a statement to the effect that United States forces have been stationed in territories of Member Nations only with the freely given consent of such Members, that following the adoption of the resolution of December 14, 1946 the United States took prompt steps to comply with the provisions of paragraph 7 quoted above, and that in no case do United States forces stationed abroad constitute a threat to peace and security.

2. The United States delegation should not oppose any reasonable proposal that the General Assembly attempt either to ascertain the extent to which Members generally have complied with the resolution or to determine the need for further action by the General Assembly on the same subject. However, it should not take the initiative in proposing such action.

3. If any complaint should be made to the General Assembly alleging failure by any Member other than the United States to comply with the resolution, the United States delegation should ascertain the validity of such complaint and be guided accordingly, consulting the Department if necessary.

4. If any proposal should be made that the General Assembly condemn generally the presence of troops on foreign soil in time of peace the United States delegation should oppose it on the ground that the portion of the resolution of December 14, 1946 quoted above clearly implied that the United Nations had no objection to the stationing of a Member's forces in the territory of another Member when authorized by "treaties or agreements consistent with the Charter and not contradicting international agreements." The United States delegation should also oppose any attempt to place additional restrictions upon such stationing of forces.

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<sup>1</sup> For full text, see *Foreign Relations*, 1946, vol. I, p. 1101.



## DISCUSSION

The General Assembly of the United Nations on December 14, 1946 passed by acclamation a resolution on the Principles Governing the General Regulation and Reduction of Armaments (A/267) which contained the paragraph quoted above in the statement of the problem.

The inclusion of that paragraph in the resolution was the outgrowth of an Egyptian proposal to add a somewhat similar provision to a resolution calling for certain information about the armed forces of Member States on foreign territory which the Soviet Government introduced first in the Security Council and later in the General Assembly in the hope that it would prove embarrassing to the governments of the United States and the United Kingdom. The Soviet proposal was introduced in the Security Council on August 29, 1946 (S/144), but after debate a majority of the members of that body voted not to place the matter on the Council's agenda. The Soviet Government then introduced a similar resolution in the General Assembly, but that body adopted in place of it the part of the reduction of armaments resolution quoted above and a resolution (A/269) calling upon the Security Council to determine, as soon as possible, the information which United Nations Members should be called upon to furnish in order to give effect to the regulation of armaments resolution.

It will be noted that the General Assembly, by its adoption of the resolution paragraph quoted above, gave its sanction to the stationing of armed forces of one United Nations Member in the territories of other United Nations Members in the circumstances stated.

Secretary Byrnes included in his address of December 13, 1946, in the General Assembly<sup>2</sup> a summary of the US Armed Forces then outside U.S. territory. No similar statement has since been made.

No questions have been raised in the Assembly concerning the compliance of Member States with the provisions of the paragraph quoted in the statement of the problem.

The approval on May 27, 1947, of SWNCC 219/16<sup>3</sup> gave inter-departmental approval to a recommendation which had originated in the State Department that in each case where all of the uniformed members of the U.S. Armed Forces on the territory of another United Nations Member State (other than members of Military, Naval, or Air Attachés' offices) are not covered by a published agreement, arrangements should be made for the negotiation of an exchange of notes between the United States and the other government concerned, or,

<sup>2</sup> For text, see United Nations, *Official Records of the General Assembly, First Session, Second Part, Plenary Meetings*, pp. 1289-1296.

<sup>3</sup> For text, see *Foreign Relations*, 1947, vol. I, p. 433.

where this may be impracticable, the conclusion of a joint communiqué, or if neither of these steps appears feasible, the possibility should be explored of satisfying in some other manner the requirements of the resolution.

Any treaty, agreement, exchange of notes, or the like, which is available to the public in printed form (that is true of every instrument designated by a T.S., E.A.S., or T.I.A.S. number), or which has been filed or registered with the League of Nations or with the United Nations (see Article 102 of the United Nations Charter and the General Assembly Resolution of December 14, 1946, on the registration and publication of agreements), is considered to have been made public.

There now remain only a few cases in which the presence of personnel of the U.S. Armed Forces on the territory of another United Nations Member is not covered by the Member's consent expressed in a manner which meets the requirements of the paragraph of the General Assembly Resolution of December 14, 1946, quoted in the statement of the problem. No attempt is being made to obtain agreements covering very small contingents of such personnel on missions of an obviously temporary nature, such, for example, as grave registration units, and groups which are conducting negotiations. The Department is of the opinion that the resolution was not directed at situations of that sort. The U.S. Delegation to the General Assembly will be furnished with a summary of the latest available information regarding personnel of the U.S. Armed Forces on the territory of other United Nations Members and the status of covering agreement or negotiations.

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Department of State Disarmament Files

*Minutes of Meeting, Department of State, September 3, 1948*

TOP SECRET

Subject: Strategy on handling of atomic energy in the General Assembly.

Present:

*For Department of State:*

Mr. Rusk, Chairman  
Mr. Osborn  
Mr. Raynor  
Mr. Johnson  
Mr. Arneson  
Mr. Chase  
Mr. Leith

*For United Kingdom:*

Mr. Gladwyn Jebb

Mr. Denis Allen

*For Canada:*

General McNaughton

Mr. Wrong

Mr. Carter

#### ACTION

Mr. Jebb agreed with the general strategy set forth by the representatives of the United States and Canada and said he would recommend such a course of action to the FonOff. Specifically, Mr. Jebb agreed to recommend four separate resolutions instead of one omnibus resolution. The strategy in question would generally be as follows:

##### 1. *Atomic Energy*

(a) An attempt would be made to concentrate the initial discussion of security matters on the atomic energy issue in Committee I. The instrument used for initiating such a discussion would be a *jointly-sponsored* (i.e. by the UNAEC majority) resolution presumably along the lines of the U.S. draft offered in the SC. The discussion of atomic energy would, if possible, be sufficiently prolonged to achieve the desired educational objectives of an informed debate. It is hoped that the Chairman will be one who can both control the debate so as to prevent extraneous issues from being discussed along with atomic energy and who can break off the discussion at the appropriate point.

(b) At such point a sub-committee would be established to which the atomic energy question would be referred for such further drafting as might be needed on the jointly-sponsored resolution on atomic energy.

##### 2. *CCA and Article 43*

(a) Meanwhile general debate could continue in Committee I on questions relating to CCA and Article 43 issues.

(b) In proper sequence, these two latter matters could be referred to the drafting sub-committee for preparation of resolutions.

##### 3. *Manner of securing separate debate on UNAEC, CCA, Article 43, and related political questions.*

There was general agreement that having four *separate* resolutions would be the most effective means of separating out the results of the debate on the different issues mentioned so that the issues would remain clear-cut. These resolutions would be as follows:

(a) Resolution I on atomic energy along the lines of the U.S. SC draft resolution.



(b) Resolution II on CCA.

(c) Resolution III on MSC.

(d) Resolution IV on the general political situation affecting not only security questions but the whole action of the UN. This Resolution would refer particularly to what the British call the "root point" or "problem", namely, the unwillingness of the Soviets to abide by majority decisions in UN organs and in general their completely obstructive tactics which prevent constructive action in the UN.

Having four separate resolutions would mean advance planning and lobbying to control the situation in the manner outlined above. (Provisions for securing joint-sponsorship of each are discussed below, pp. 6 and 7.)

With the exception of the atomic energy resolution, the substance of the four resolutions was not discussed in any detail but discussion revolved around the general idea of separate resolutions.

There was general agreement that the "majority" sponsors of the UNAEC should meet in Paris upon arrival to develop the best method of handling the problem of educating the other delegations. It was agreed that there should be a division of labor for this purpose.

Respecting a possible proposal's being made in the GA to go on in UNAEC with a discussion of other major weapons adaptable to mass destruction, there was general agreement that "we need not fear any such tactics since we have already answered such proposals several times on previous occasions. Our answers have generally been along the lines that since a strong and effective safeguards system has already been developed in the field of atomic energy, which is by all odds the most important field over which control must be established, the first task is to get acceptance of this control system. Once it has been accepted the international atmosphere will be so changed that all manner of things may then be possible, including measures of control in the field of other mass weapons. At this time, however, it is clear that the same obstacles to establishing effective control will be manifest in the field of other mass weapons as have been experienced in the field of atomic energy."

Mr. Rusk started off the meeting by stating that he thought it would be most fruitful perhaps if Mr. Osborn would outline the position which the United States believed the majority should take in the GA and if Mr. Jebb would follow with a presentation of the British point of view. Mr. Rusk stated that this was only a suggestion, however, and that he would like others to make any suggestions they wished.

There was general agreement to this mode of proceeding except that General McNaughton said he desired to make a preliminary statement.

GENERAL McNAUGHTON's preliminary statement was a very forceful presentation of the view that there was one thing of supreme and transcendent importance in the security field and that was that the atomic energy issue should be debated with as little confusion with other issues as possible and should be followed, above all, by a resolution of approval by the GA of the UNAEC control plan. General McNaughton stated that if these things were accomplished he personally did not feel it was of too great moment what else was done in the security field.

MR. OSBORN then reviewed the position in which the majority of the UNAEC delegates found themselves at the seat of the UN at the present moment. Going back into the history of UNAEC developments he pointed to the fact that the Second Report was a majority report and was the product of the joint labors of all the majority members who had worked so competently for a period of many months on its development. Mr. Osborn stated after the UNAEC reconvened in January, 1948, there was a question as to what it should undertake in the immediate future. While initially there was some thought of proceeding with the matter of organization, it was soon felt by the members of the majority that the Commission had gone as far as it could without getting into those problems which were primarily political in nature and which could be settled only in terms of the conditions existing at the time an agreement would be signed. This point of view was crystalized by M. de Rose of the French Delegation who drafted the essential content of the Third Report on his own initiative. M. de Rose went so far as to recommend a *final* winding up of the activities of the Commission as being a complete failure. It was particularly significant that M. de Rose should take such an attitude since the French had started out with the idea of mediating between the United States and the U.S.S.R. MR. OSBORN noted that the French particularly resented the idea of calling the Third Report a United States Report.

MR. OSBORN added that the informal conversations which had been held for the preparation of the Second and Third Reports had been conducted on a personal basis and that the conclusions arrived at had ultimately been submitted to the five governments in question for official confirmation.

MR. OSBORN noted that this pattern of procedure had been going successfully and conclusions were being reached and agreed upon in plenty of time to permit adequate preparation for the GA when the UK FonOff suddenly asked that the conversations be halted until further conversations were held between the UK and the US as to GA strategy. Mr. Osborn, supported by General McNaughton, emphasized the fact that six weeks had been lost as a result of this action of the



UK FonOff, and he added that the other nine delegates had agreed on a joint resolution.

MR. JEBB replied to Mr. Osborn by stating in the first place that there had been considerable misunderstanding in regard to this whole matter. He had been away when the question of stopping the informal conversations had arisen. Without going into further explanations and excuses he stated that what the FonOff wanted to do was to look at the matter as a whole, though it did not wish to minimize atomic energy. By looking at the matter as a whole the FonOff wished to call attention to the thread which ran through all angles of the security problem and other UN problems, namely, the damaging nature of the Soviet obstructive tactics to the progress of the UN generally in their being unwilling to abide even by overwhelming majority votes in UN organs.

However, MR. JEBB stated that with further thought on the matter the FonOff had decided to withdraw its proposal for one omnibus resolution since he could see that there was danger of confusing the atomic energy discussions by combining it with a discussion of more general matters and the FonOff would be satisfied with a separate resolution covering the "root problem."

MR. JEBB did say, however, that whereas the United States apparently wished to give the impression that activities in the CCA and the MSC would be continued, his government felt that this would be deluding the public and thought that both bodies should be adjourned.

MR. JEBB concluded his initial remarks by saying that it was the original intention of the FonOff to have one omnibus resolution, divided into parts I, II, III, and IV, but that as long as IV was adequately taken care of he believed that his government would be prepared to accept separate resolutions on I, II and III.

GENERAL McNAUGHTON then took up the question of the possible adjournment of the CCA and the MSC to which Mr. Jebb had referred. He pointed out that the CCA and MSC activities were on an entirely different basis from those of the AEC. The former were still dealing with the initial phase of the problem whereas the latter had completed the essentials of a control plan. General McNaughton felt that until "we have been through the drill" in the CCA and the MSC we have no right to say that they cannot be carried further, nor would the members of the GA be adequately prepared for supporting an adjournment resolution in each case.

GENERAL McNAUGHTON again emphasized the fact that whatever else happened we must get the approval of the majority UNAEC plan of control because of the moral victory it would represent and because with such approval we would be well armed to take advantage of a



first rift in the Iron Curtain which made it appear as though progress would be possible in this field.

Mr. RUSK stated that apparently we were now all agreed on a debate in separate stages followed by separate resolutions. He added, however, that he did not believe we would want the atomic energy issue or the other issues immediately referred to a sub-committee. He thought we would want a general debate in Committee I which would be sufficient to educate the general public as to the issues involved. Following this general debate we could then table our joint resolution and have it referred to a sub-committee along with other resolutions and amendments. Meanwhile the general debate would continue in Committee I.

At this point there was a brief exchange between Mr. Raynor and Mr. Jebb respecting the nature of Resolution IV. Both expressed the view that this Resolution could perhaps include references to the veto question and then be generalized to deal with the whole political question. General McNaughton approved such a Resolution.

Mr. OSBORN then returned to the question of the handling of CCA matters. He pointed out that the Soviets fear of an effective safeguard system in the field of conventional armaments was as real as in respect to such safeguards in the atomic energy field. Therefore, he suggested that it would be a good idea to spend time in the CCA following the GA in elaborating that section of the Resolution on Item II which briefly dealt with safeguards. Having done so the work of the CCA would then be somewhat comparable to the AEC in terms of completeness, the Soviet attitude would be made clear to the public, and the majority of the CCA could then go to the 1949 GA and properly ask for suspension of the CCA.

Mr. RUSK suggested that while he was sure we all felt this plan to be a good plan, it was still worth while to follow the British suggestion of getting GA approval in this session of the principles in the majority resolution on Item II. At the same time it was important to avoid any implications that we were closing the door on further discussions in the CCA.

Mr. JEBB said that if the Soviets advanced sweeping disarmament proposals, we should join in exposing it as a propaganda maneuver.

In connection with the question of a continuation of the CCA activities, Mr. OSBORN called attention to the hysterical attacks of the Soviet representatives on the US for suggesting that the CCA be continued rather than suspended. From this he deduced that the Soviet line was to have been geared to a US proposal for suspension and he felt it was particularly important, therefore, that we make no move toward suspension at this time. Mr. Rusk then asked whether there was general agreement that in respect to each of the four resolutions we should get as broad joint sponsorship as possible.

GENERAL McNAUGHTON felt this would be fine.

MR. JEBB stated that at present this seemed a good idea but he was not sure how his government would react and he wondered how we would determine sponsorship, for example, in respect to Resolution IV. GENERAL McNAUGHTON replied that we could have the joint sponsorship depend on those who made up the majority in each case, and that on the general resolution, since there was no majority to fall back on, the British should make up a list. They could best do this because of their wider international contacts and great experience.

MR. RUSK then inquired whether it would not be well to divide up the general security debate in Committee I so that different nations could cover different aspects of the problem, for example, the British might advance their views with respect to the "root problem". There was general agreement that this would be a good idea.

At this point MR. OSBORN thought it would be useful for MR. JEBB's benefit to give a picture of how the views of the majority in the UNAEC had evolved. The details of Mr. Osborn's statement will be set forth in a separate memorandum. In general the theme he advanced was to the effect that the original Baruch plan contained elements which might have been elaborated in one of two ways, either in the direction of creating an authoritative and somewhat arbitrary agency or in the direction of an organization based on democratic principles. He believed that the Second Report did the latter through such things as the quota scheme, limitations upon the development of power plants and emphasizing an adequate inspection system rather than a system of sanctions.

There was general approval of this interpretation of the Second Report as a useful instrument in winning popular support, provided statements along these lines were sufficiently qualified as being interpretations of the Second Report.

Some discussion on dividing up the task of "educating" other delegations in Paris followed. The feeling was expressed that this should be settled when we got to Paris since little more could be done here.

In connection with the educational process referred to in the preceding paragraph, Mr. Rusk questioned whether we should not establish a committee to answer legitimate questions which various delegations might have with respect to atomic energy. The reaction to such a suggestion was generally unfavorable on grounds that this would invite fishing expeditions and could not be properly controlled. It was proposed that instead, this be done through the ordinary diplomatic channels. MR. JEBB suggested, for example, that the US might take upon itself the education of the Latin American delegations. MR. JOHNSON proposed that in respect to the Latin Americans, it would be



better for one of their own number to do the educating, for example Mexico.

The meeting next turned its attention to the question of what should be done respecting a suggestion such as Secretary General Lie's that mass weapons be considered.<sup>1</sup> GENERAL McNAUGHTON and MR. OSBORN both stated that it was their firm conviction that we need not fear any such tactics since we had already answered such proposals several times on previous occasions. Our answers had generally been along the lines that since a strong and effective safeguards system had already been developed in the field of atomic energy, which was by all odds the most important field over which control must be established, the first task was to get acceptance of this control system. Once it had been accepted the international atmosphere would be so changed that all manner of things might then be possible, including measures of control in the field of other mass weapons. At this time, however, it was clear that the same obstacles to establishing effective control would be manifest in the field of other mass weapons as had been experienced in the field of atomic energy. MR. OSBORN added that he thought there was far less danger of a stampede on such an issue today than a year ago, because the eyes of most of the nations had been opened to the real nature of Soviet objectives. MR. RUSK added the caution, however, that we would need to do some lobbying on this matter and in this he was generally supported.

The discussion then turned briefly to the question of whether we should take any initiative in respect to CCA and Article 43 matters if the Soviets or some small nation did not raise either matter. MR. JEBB replied that he thought we should take the initiative on each case but that we should be sure to instruct the Chairman as to the necessity of discussing one at a time and keeping the debate on an orderly basis in this way. In respect to Article 43 matters MR. RAYNOR suggested that he thought agreement had been reached at Ottawa which would take care of the problem.<sup>2</sup> GENERAL McNAUGHTON said that he was very much against the armed guard proposal being developed in such a way as to create a "young army". He stated emphatically that he thought the armed guard should be restricted to police work with emphasis on specialists in communications. He added that in his talk with SECRETARY GENERAL LIE a couple of weeks ago, LIE had agreed completely with him and particularly had agreed that any fighting which had

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<sup>1</sup> Reference is to a statement contained in the Secretary General's annual report; for text, see United Nations, *Official Records of the General Assembly, Third Session, Supplement No. 1, Annual Report of the Secretary-General on the Work of the Organization, 1 July 1947-30 June 1948*, p. xiii. Hereafter cited as GA (III), *Suppl. No. 1*.

<sup>2</sup> For the record of the Ottawa staff conversations, August 30-31, see p. 403.



to be done should be done in the second degree, namely, by national contingents.

The meeting was then closed by MR. JEBB's affirmative reply to MR. RAYNOR who said that he thought we were now all agreed on separate resolutions on the four items and an orderly debate in sequence on these items.

The formal action of the meeting is stated in the opening paragraphs of these Minutes.

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IO Files: SD/A/C.1/151

*Position Paper Prepared in the Department of State*<sup>1</sup>

SECRET

[WASHINGTON,] September 3, 1948.

UNITED STATES OBJECTIVES ON INTERNATIONAL CONTROL OF ATOMIC  
ENERGY FOR GENERAL ASSEMBLY

PROBLEM

To set forth the objectives of the United States with respect to the General Assembly consideration of the international control of atomic energy.

FACTS BEARING ON THE PROBLEM

Appendix A.<sup>2</sup>

CONCLUSIONS

1. This Government concludes that the objectives should be as follows:

a. By gaining General Assembly approval for the UNAEC plan of control as contained in the General Findings (Part II C) and Recommendations (Part III) of the First, and the Specific Proposals of Part II of the Second UNAEC Reports, to make it the United Nations plan, thus formalizing the achievements of the UNAEC and establishing the basis for further action looking toward international control whenever such action shall be undertaken.

b. By gaining General Assembly approval for the "Report and Recommendation" (Part I) of Third UNAEC Report, which contains the recommendation for the suspension of the UNAEC, to make clear the nature of the impasse and the responsibility therefor, thus bringing the moral pressure of world opinion to bear on the dissenting minority.

2. In view of diplomatic conversations presently under way (see Appendix A, section m) the tactics in attaining these objectives should be formulated when the results of such conversations are known.

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<sup>1</sup> This document received the informal approval of the Executive Committee on Regulation of Armaments and was circulated in the Committee as RAC D-32/8a, August 31, 1948.

<sup>2</sup> Not printed.

IO Files : SD/A/C.1/171

*Position Paper Prepared in the Department of State*<sup>1</sup>

CONFIDENTIAL

[WASHINGTON,] September 3, 1948.

REGULATION AND REDUCTION OF CONVENTIONAL ARMAMENTS AND  
ARMED FORCESU.S. OBJECTIVES IN CONNECTION WITH GENERAL ASSEMBLY  
CONSIDERATION

## THE PROBLEM

1. To set forth the objectives of the U.S. with respect to possible General Assembly consideration of the question of regulation and reduction of conventional armaments and armed forces.

## FACTS BEARING ON THE PROBLEM

See Appendix A.<sup>2</sup>

## DISCUSSION

See Appendix B.

## CONCLUSIONS

2. For purposes of General Assembly discussion, the issue of regulation of conventional armaments should be cast in such a way as to show that it is but part of the broad problem of world security, is directly affected by the climate of international relationships, and depends for solution on the sincere cooperative efforts of all participants.

3. The U.S. objectives in the General Assembly with respect to the regulation and reduction of conventional armaments and armed forces should be :

(a) To maintain this issue in its proper perspective of interrelationship with the problem of the international control of atomic energy and other factors involved in effective collective security.

(b) To prevent as far as possible the Soviet Union from successfully diverting attention from the vital issue of international control of atomic energy where the record of majority accomplishment and Soviet intransigence is so clearly established.

(c) To reaffirm and clarify, as far as conditions at the time seem to demand, established U.S. policy concerning the regulation and reduction of conventional armaments and armed forces as set forth in the CCA Resolutions on Items I and II of its Plan of Work<sup>3</sup> and as set forth by the Deputy U.S. Representative in CCA on August 2, 1948.<sup>4</sup>

<sup>1</sup> This document was approved by the Executive Committee on Regulation of Armaments and was circulated in the Committee as RAC D-33/1a, September 3, 1948.

<sup>2</sup> Not printed.

<sup>3</sup> For text, see footnote 1, pp. 377-378.

<sup>4</sup> For substance, see telegram 492 to New York, July 30, p. 373.

[Here follows Appendix A, "Facts Bearing on the Problem," consisting of an account of negotiations at the United Nations on regulation of conventional armaments from September 1946 to September 1948.]

## Appendix B

### DISCUSSION

1. It appears likely that the general problem of world security will play a prominent role in the forthcoming General Assembly.<sup>5</sup>

2. The issue of the regulation and reduction of conventional armaments and armed forces is but part of the problem of world security. Although the question of conventional armaments as such is not on the agenda of the third General Assembly, it is likely that it will be raised in connection with the question of the international control of atomic energy or some other security problem.

3. U.S. leadership in connection with the most important and pressing aspects of world security, namely the recovery and strengthening of war torn Europe and the international control of atomic energy, has been outstanding. In this latter field the U.S. first developed the essential basis for an international control system which became the basis of the UNAEC control plan. A majority of UNAEC members, past and present, consider the plan unassailable. The U.S. considers it of the utmost importance that the UNAEC control plan be approved by the General Assembly.

4. It is anticipated that the Soviet Union will make every effort to divert the General Assembly from consideration of the substance of the UNAEC control plan. Prolonged debate of the conventional armaments question could easily overshadow the more fundamental issues of world security with possible jeopardy to U.S. objectives in the field of atomic energy.

5. U.S. tactics and strategy should therefore be so devised as to *contribute to the maximum to the attainment* of these objectives.\*

6. The United States, in dealing with specific questions which may arise concerning the work of the CCA, should refer for guidance to the CCA Resolution on Item II (Principles) and to the statements of the United States Representative to the CCA on this subject. The position adopted by the United States should not be made a defensive one,

<sup>5</sup> In telegram 1030 from New York, August 18 (not printed), Osborn reported that Soviet and Ukrainian speeches and statements at recent meetings of the Commission for Conventional Armaments indicated the probability of a Soviet offensive in the General Assembly on the whole problem of the armaments race (501.BB/8-1848).

\*Detailed discussion of probable Soviet strategy and tactics in the armaments field will be considered in another paper. [Footnote in the source text. The paper under reference is SD/A/C.1/184, September 13, not printed.]



however, but should reaffirm and clarify United States policy on the regulation and reduction of conventional armaments and armed forces.

7. Such a position should succeed in preventing a diversion of the General Assembly discussions from the central issue of atomic energy. In addition it should provide an opportunity to reemphasize that the United States position on relationship of international confidence as stated in points two and three of the Resolution on principles is to *implementation* rather than to formulation of plans. United States determination to continue its efforts in the CCA should be reaffirmed.

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Department of State Disarmament Files

*Memorandum of Conversation, by the Acting Chief of the Division  
of International Security Affairs (Johnson)*

SECRET

[WASHINGTON,] September 6, 1948—9 a. m.

Participants: UNA—Mr. Rusk  
UNS—Mr. H. C. Johnson  
EUR—Mr. Raynor  
British Embassy—Mr. Denis Allen

Mr. Allen called at his request to advise us that the FonOff had replied to Mr. Jebb's inquiry resulting from the meeting held with the Canadian and U.S. Representatives on Sept. 3.<sup>1</sup> Mr. Allen advised us that Mr. Bevin and Mr. McNeil<sup>2</sup> were out of town over the week end and that the FonOff was operating under instructions from them. He indicated that the FonOff could not support joint sponsorship until it saw how the four resolutions would work, that the FonOff feared that unless all three activities were suspended the Russians would have an effective propaganda line based on US desire to go on to talk about other weapons when it was assured of suspension of the AEC. He pointed out to us the difficulties of the Labor Party with respect to the disarmament question before the war and stated that the Labor Party's explanation is that disarmament, including atomic energy, must go hand in hand with collective security. He indicated the FonOff were not as confident as we were with respect to our position on atomic energy.

The FonOff had indicated that it could approve of joint sponsorship or a resolution only if

(a) there were a separate resolution on CCA and Article 43 on provision for adjournment and

(b) if the actual terms of the atomic energy resolution were to be agreed upon later.

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<sup>1</sup> For the record of that meeting, see p. 407.

<sup>2</sup> Sir Hector McNeil, Minister of State, British Foreign Office.

Mr. Allen was anxious to discuss this question further with the Department before replying to London. He asked if the United States felt that it could modify its position on Article 43 and the CCA adjournment.

Mr. Johnson pointed out to Mr. Allen that the obligations which our governments have assumed did not make atomic energy control dependent upon collective security.

Mr. Rusk suggested that the important parts of the jointly agreed concept were resolutions 1 and 4 and that if the UK were satisfied with a strongly worded resolution on Item 4 that we could probably accommodate our differences of view on Items 2 and 3.<sup>3</sup> In this connection he suggested that a resolution on these items might indicate grave doubts as to whether or not under existing circumstances universally accepted plans could be formulated.

It was agreed that it would be advisable if the FonOff were to draft resolutions for further discussions.

Mr. Rusk told Mr. Allen that since the US delegation was leaving on the 13th it would be extremely helpful if we could settle this question during the course of this week.<sup>4</sup>

<sup>3</sup> For identification of the contemplated resolutions, see the record of the September 3 meeting, p. 407.

<sup>4</sup> The Third Session of the United Nations General Assembly was scheduled to convene in Paris on September 21.

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Department of State Disarmament Files : SD/A/C.1/183

*Position Paper Approved by the Executive Committee on Regulation of Armaments*<sup>1</sup>

[WASHINGTON,] September 10, 1948.

OBJECTIVES RE POSSIBLE GA CONSIDERATION OF "OTHER WEAPONS ADAPTABLE TO MASS DESTRUCTION"<sup>2</sup>

PROBLEM

To set forth the objectives of the United States with respect to the possible consideration in the General Assembly of the elimination from national armaments of all other major weapons adaptable to mass destruction.

<sup>1</sup> This document was the result of consideration by the Executive Committee on Regulation of Armaments of antecedent papers submitted by the Navy member and the State Department member, none printed. It was approved by the Executive Committee at its 91st Meeting, September 3, as RAC D-4/4a, and, in the version approved, incorporated into the background books of the Delegation to the General Assembly as SD/A/C.1/183.

<sup>2</sup> The possibility of this subject being considered by the General Assembly arose in connection with a suggestion contained in the Third Annual Report of the Secretary-General; for text, see GA (III), *Suppl. No. 1*, p. xiii.

## FACTS BEARING ON THE PROBLEM

(See Appendix A)<sup>3</sup>

## DISCUSSION

(See Appendix B)

## CONCLUSIONS

1. The issue of control and elimination of "other major weapons of mass destruction" should be related directly to the decision taken by the United States Government (and the majority members of the UNAEC) with respect to suspension of the work of the AEC. It should be made clear that the record of the USSR in the UNAEC and the course of Soviet international relations illustrate the absence of that degree of sincere cooperative effort necessary for productive deliberations on these subjects, and that it would prove futile to undertake such deliberations in the existing international political climate.

2. The objectives of the United States in any General Assembly discussions on this subject should be:

A. to prevent as much as possible debate and discussion of this problem particularly of the technical and detailed nature and

B. to prevent the adoption of any proposals affecting this problem by the General Assembly which would negate the objectives of this Government with regard to the suspension of the activities of the UNAEC, or which would nullify or modify in any other way progress already achieved in the UNAEC and the UNCCA.

## Appendix B

## DISCUSSION

1. Pursuant to the sentiments expressed in the Secretary-General's Third Report to the General Assembly there may be some feeling in the General Assembly on the part of some of the delegations that the activities of the United Nations Atomic Energy Commission should be continued in the hopes that, given the continuation of discussions and negotiations, it might be possible for an area of agreement to be reached from which might arise the possibilities of overall agreement on the assignment originally given to the Commission. It may be felt that making a specific assignment to the Commission of discussing the elimination of other major weapons of mass destruction would be the most fruitful way for the Commission to meet again in negotiations. The justification for such an idea would appear to lie in the facts that

<sup>3</sup> Not printed. This appendix consists of an account of United States policy regarding the regulation of weapons of mass destruction (other than the atomic bomb) since 1945.



since hitherto there have been no discussions in the United Nations on the problem and since the possession of such other major weapons adaptable to mass destruction as biological warfare by the various nations of the world would seem likely to be more rumor than fact, the Member nations might feel less concerned over agreeing to eliminate such weapons. Were an agreement on this subject to be reached it might be that the circumstances and atmosphere under which it was reached would be conducive to conclusion of agreement for the international control of atomic energy.

2. The United States and the other members of the majority of the United Nations Atomic Energy Commission decided early in the course of their work to devote their efforts to the formulation of a system of control for atomic energy with the stated belief that if a satisfactory solution to that urgent problem could be found it might furnish a guide for the elimination from national armaments of all other weapons of mass destruction. The Atomic Energy Commission has, in its Third Report, reiterated this view but recognized its failure to reach an agreed solution, for reasons beyond its control which derive from lack of international cooperation in broader fields of policy. Under these circumstances, the raising in the General Assembly of the question of other mass destruction weapons, depending upon its instigator, may be either:

*a.* a tactic to divert the attention of the General Assembly from the impasse in the Atomic Energy Commission and the Soviet's obstructive record therein;

*b.* an attempt to strengthen the logic of the Soviet position on international control of atomic energy by analogy to the prohibition by treaty method of eliminating bacteriological and chemical warfare as successful in the past and the only feasible scheme for the future;

*c.* a legitimate question relating to the commitments involved in the terms of reference of the Atomic Energy Commission and the need for progress in fields of endeavor not yet undertaken by the United Nations.

3. Whether or not the national security of the United States is involved in any consideration of the problem of other major weapons adaptable to mass destruction such a fact could not be made public in discussions in the General Assembly. Therefore, if the United States wishes to block consideration by the Atomic Energy Commission of other major weapons adaptable to mass destructions the reasons enunciated must be those other than national security reasons, otherwise to contend that the discussion at this time of the problem was a matter which would involve the national security would be to imply or to provide the Soviet Union with the pretext for implying that the United States was prepared for or was preparing for warfare involving the use of other major weapons adaptable to mass destruction.

4. The Joint Research and Development Board, under Dr. Vannevar Bush, has reported that it believes it impossible to devise a practicable system of international control which would insure the elimination of bacteriological weapons from national armaments. The Soviet Union probably realizes this impossibility, and will welcome an opportunity to make a propaganda issue of the technical as well as political infeasibility of strict international control of weapons of mass destruction. If a United Nations study should be undertaken on this subject it would undoubtedly reveal the impossibility of control, thereby reinforcing by analogy the Soviet position on control of atomic weapons, which is: insistence upon the immediate destruction of existing stocks of atomic weapons and the prohibition by treaty, without effective safeguards, of their future manufacture and stockpiling.

Accordingly, it would appear to be necessary, in order for the United States to avoid being confronted with such an advantage to the Soviet Union, for this Government to contend that it is not prepared at this time to accept the idea that other major weapons adaptable to mass destruction *cannot* be controlled. Rather, if necessary, it should be prepared to state its belief that, given the successful establishment of a system for the international control of atomic energy, the example and experience gained thereby, together with the improved state of international confidence, may make possible the atmosphere and circumstances conducive to the proper consideration of the problem. For the time being, however, there would appear to be a number of factors which would make consideration of the problem at this time utterly futile and damaging to the achievements already made in the Atomic Energy Commission and the General Assembly in the field of the international control of atomic energy. For example:

a. It would seem clear that any discussions which the Atomic Energy Commission might have on the subject of other major weapons adaptable to mass destruction would be as devoid of results and agreement as those which the Commission has just concluded since the fundamental difficulty would remain, namely, the Soviet refusal to agree to an effective system of controls. It is difficult to avoid the fact that, while there might be no international authority owning, managing, or licensing the source materials involved in bacteriological warfare and the production of poison gases, there would have to be as thorough, if not more extensive, system of inspections and controls as are already contemplated in the majority plan for the international control of atomic energy. In view of the fact that the Soviet Union has chemical industries, biological laboratories, etc., which might be subject to such rigid inspection and control, it is impossible to see how they would be any more willing to agree to a system for the control of other major weapons adaptable to mass destruction than they have already shown themselves to be in the matter of atomic energy. In sum, if after two years of discussion there has been no agreement on an international system of control over two visible elements it is ridicu-



lous to debate over and attempt to formulate an international system of control over limitless members of invisible or not readily identifiable elements.

*b.* Assigning to the Atomic Energy Commission the task of discussing and attempting to reach agreement on other major weapons adaptable to mass destruction would divert the attention of the world from the crucial matter at hand, namely, the international control of atomic energy. The assignment of such a problem to the Commission undoubtedly would give the impression to the uninformed world that the difficulties over the international control of atomic energy might be side-stepped or were not as great or as real as the majority of the Members of the Atomic Energy Commission now contend them to be.

5. Aside from the above observations (which might form the basis of this Government's public position on the subject) the following considerations must be borne in mind:

*a.* Whenever the Atomic Energy Commission may undertake to discuss "other major weapons adaptable to mass destruction" it will be confronted with a very difficult problem of definition which from the very outset may protract the discussions and prejudice the chances of reaching eventual agreement. Such things as heavy bombers, guided missiles, incendiary bombs, and the like, may well prove to be the points of contention in definition. It is particularly possible that the Soviet Union and its satellites may attempt to have the above-mentioned items defined as weapons adaptable to mass destruction since they stand to gain relative to the war potential of the United States on any and all occasions when they are able to limit or curtail the technological superiority of the United States and Western Powers, while, at the same time, not suffering curtailment of their manpower advantages.

*b.* To permit the resumption of the United Nations Atomic Energy Commission by shifting its work from the problem of control of atomic energy to a study of other weapons adaptable to mass destruction would negate the purpose of the Third Report of the Atomic Energy Commission. The effect of the indictment therein of the USSR as the nation responsible for failure to achieve control of atomic energy would be destroyed by an acknowledgement that useful work can be done in a closely related field, and would invalidate the Commission's conclusion that the causes of the impasse cannot be broken at the Commission level.

*c.* If the Atomic Energy Commission were to be directed to consider the specific problem of other major weapons adaptable to mass destruction, it would be difficult, short of a specific injunction against the possibility, for the United States or any other member of the majority of the Commission to prevent the raising of further considerations of the international control of atomic energy. Thus, regardless of the probable censure which the Soviet Union might receive from the General Assembly, the Commission level and not the higher political level would probably be that at which negotiations on the control of atomic energy would be recommenced.

*d.* In view of the certain lack of technical qualifications on the part of most if not all of the representatives in Committee 1; and in view



of the more fundamental and obvious objections, already mentioned, to a discussion, particularly if technical and detailed, on the problem in Committee 1, it must be anticipated that Soviet strategy will be that of filibustering and propagandizing by technical discussions at the expense of the proper consideration of atomic energy control.

6. The three reports of the Atomic Energy Commission have been transmitted by the Security Council to the General Assembly and are thus on the agenda of the General Assembly for consideration in Committee 1. Although the Secretary-General's comments relative to other major weapons adaptable to mass destruction in effect constitute a recommendation to the General Assembly that it give consideration to the problem, the matter is not as yet on the agenda. If at some subsequent time it should be formally placed on the agenda any procedure whereby the Atomic Energy Commission's reports and recommendations may be considered separately from or prior to the matter of other major weapons adaptable to mass destruction would strengthen the position of the United States in opposing any consideration at this time by the Atomic Energy Commission of the problem of other major weapons adaptable to mass destruction. Conversely, if the two problems should be considered simultaneously in Committee 1, it must be expected that it will be more difficult for the United States to oppose the consideration of other major weapons adaptable to mass destruction by the Atomic Energy Commission if the United States and the majority intend to place priority on the achievement of an endorsement by the General Assembly of the three reports of the Atomic Energy Commission.

7. In view of the already recognizable tactics of the Soviet Union in seeking to obscure the jurisdictions of the Atomic Energy Commission and the Commission for Conventional Armaments particularly through such tactics as persistent reference to the General Assembly resolution of December 14, 1946 calling for the abolition of atomic and other weapons adaptable to mass destruction, it must be borne in mind that the Soviet Union may attempt in the discussions in Committee 1 so to involve the considerations of that Committee that it will be forced to consider the problems of the international control of atomic energy, the regulation and reduction of conventional armaments and armed forces, and the control of other major weapons adaptable to mass destruction simultaneously. In view of this possibility this Government must be prepared to prevent any discussion on other major weapons of mass destruction being used as a smoke screen for any resolution, particularly if it is of an omnibus nature, which might threaten the maintenance of the present jurisdictions of the Atomic Energy Commission and the Commission for Conventional Armaments or which might jeopardize what progress has already been made on the assignment of the two Commissions.

USUN Files

*Memorandum by the United States Representative at the United Nations (Austin)*

[PARIS,] September 20, 1948.

On the S. S. *America*, on September 17, 1948, Howard Johnson asked me if I would meet with Mr. Osborn, Hayden Raynor, Mr. Blaisdell, and Captain Page Smith,<sup>1</sup> to discuss the Third Report of the Atomic Energy Commission. We met at two o'clock in my stateroom-U38.

I asked Mr. Johnson to invite Francis Wilcox, who is the Clerk of the Senate Foreign Relations Committee, and he attended.

Mr. Osborn opened the conversation with special emphasis on the position of the United Kingdom Delegation. He said that the Third Report was substantially what the French Representative on the AEC, Count de Rose, had initiated, and that he wished to have a Resolution for the adoption of the Report by the General Assembly sponsored by all of the fourteen countries which had at one time, or another, favored control through an international agency, under the plan described in the First and Second Reports. He advocated a Resolution in the same language as that one which had been offered in the Security Council and vetoed by the Russian and Ukrainian Delegates. He feared that there was lacking entire agreement with the United Kingdom because they had stated that they would support the Resolution, but wanted to have discussed at the same time, the situation in the CCA, and in the Military Staff Committee, with respect to Conventional Armaments and Peace Forces.

After a relatively long statement, Mr. Osborn turned and asked: "Who is going to handle this matter in the General Assembly and in Committee I"?

I had been informed by Mr. Johnson that Mr. Osborn knew that that work was assigned to me, but to free the matter from any question at all, I read aloud the letter from Secretary of State Marshall which had been delivered to me by hand in New York before our departure, which is as follows:<sup>2</sup>

[Here follows Austin's account of the consideration in June by the Security Council of the Third Report of the United Nations Atomic Energy Commission. His record of this exposition includes extracts from statements by various members of the Council.]

I did not read all of the foregoing extracts, but did call attention to the support which they show for consideration at a prior level of the substantive question.

<sup>1</sup> Captain Harold P. Smith, Adviser, United States Delegation to the General Assembly; represented the Navy Department at most meetings of the Executive Committee on Regulation of Armaments in 1948.

<sup>2</sup> For text, see p. 14.



I strongly urged that it was unwise, from the point of view of the Senate Resolution and the interest of the American people, to sponsor and advocate such a defeatist resolution as one that suspended negotiations in the AEC without holding out hope and encouragement for discussions on a higher level.

Among the numerous suggestions that I asked them to consider were the following: To so word the Resolution to be introduced in the General Assembly that this defeatist language would be neutralized and that affirmative encouragement for further work on the basis of the plan be given.

Mr. Osborn seemed deeply stirred for fear that any change whatever in the language of the Resolution might upset the support which had been gained at great difficulty from the other members of the AEC. He expressed apprehension that it might open the door to more difficult relations with Great Britain.

Mr. Wilcox, at some stage of the negotiation, produced the Resolution adopted by the Senate of which Section 5 contained language not expressly referring to the atomic energy question, but which was of such a nature as to comprehend it, and gave us the history of that language which included a statement to the effect that Senator Vandenberg had called on Under Secretary Lovett about it, and that he had stated that it would embarrass the State Department to put it in there. Afterward, a suggestion was made that atomic energy should be excluded by using the word "conventional" before armaments. The Committee refused to accept that expressly because it would exclude atomic energy.

Section (5) of the Resolution reads as follows:

"Maximum efforts to obtain agreements to provide the United Nations with armed forces as provided by the Charter, and to obtain agreement among member nations upon universal regulation and reduction of armaments under adequate and dependable guaranty against violation."

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September 19, 1948.

We had another meeting at which the negotiation became difficult. In the course of it, Hayden Raynor suggested that it would be appropriate to make clear that the recommendation in the Third Report looked forward to consultation by the Permanent Members to find out whether there exists a basis for agreement. I asked Mr. Osborn if he would have any objection to adding a paragraph to the Resolution that would comprehend that point in an affirmative recommendation, that the Permanent Members of the AEC who sponsored the General Assembly Resolution of 24 January 1946 continue to seek an agreement on the basis of the First and Second Reports. Thereupon



Captain Smith stated that Mr. Forrestal<sup>3</sup> was opposed to any further negotiations anywhere. Being startled by this, I inquired whether the purpose was to totally defeat the proposal of the United States to give up its monopoly upon the conditions contained in the Declaration by the President, the Prime Minister of Great Britain, and the Prime Minister of Canada, and contained in the General Assembly Resolution, as well as in the Act of Congress—the Atomic Energy Act. He said: "Yes"; that he understood that this was intended to stop negotiations anywhere. I said to him in effect that I intended to take this matter up in the Delegation at the earliest convenience, and that I hoped he would get Mr. Forrestal and let him know our position. I called attention to the fact that if we did not have negotiations between the Big 5 we would have no way of carrying out even the recommendation of the Third Report, namely: "Find, through prior consultation, that there exists a basis for agreement."

During this conversation, I stated that it looked as if we were right up against a fundamental question of the continued existence of the United Nations because termination of AEC talks and suspension of all negotiations on a prior level would block any conclusion relating to disarmament through CCA and the creation of peace forces under Article 43.

The question arose distinctly in my mind: "What really is our position?" It seems illogical to strongly advocate a plan that would carry out the policy of the United States, expressed in so many ways, all giving up its monopoly to the world, and in the same Resolution strike it a death blow by terminating discussion.

Later in the day, Mr. Osborn called upon me alone, bringing with him a dispatch which was addressed to him personally, and purporting to come from Under Secretary Lovett containing almost the exact terms of the Resolution. Therefore, he convinced me that he was acting under instructions which indicated that Mr. Forrestal concurred in them. My recollection is that that paper was dated in April.<sup>4</sup> I told him that I had no personal feeling against him in respect to this matter; that I should certainly not attack him in handling the business, but that I should take it up at the first opportunity with the Delegation and discuss it calmly. He offered to collaborate with Mr. Howard Johnson in drafting a speech for me to make in the First Committee. He did that, and I found that the draft concluded with substantially the same views that he had previously expressed: that negotiations in the AEC be suspended without accepting any of my suggestions for holding open the hope of further negotiations at a higher level.

<sup>3</sup> James Forrestal, Secretary of Defense.

<sup>4</sup> The paper under reference is presumably document RAC D-30/1a, April 9, p. 323. For text of the contemplated resolution, see Osborn's memorandum of conversation, July 28, p. 369.

Thereupon, I turned the draft over to Porter McKeever, who, with Chester Williams and Gilbert Stewart,<sup>5</sup> are now helping me to revise it. I had already made notes on it, and I have stated to them what my views are, namely: that we should not discourage the world by this Resolution, but that we could give hope by affirmative support for further discussion at a higher level.

We can do this in the beginning in the speech that I am to make in Committee I. I intend to submit such a speech to the Delegation before I use it.

WARREN AUSTIN

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<sup>5</sup> Public Information Advisers, United States Delegation to the General Assembly.

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501.BC Atomic/9-2148

*Memorandum by the Deputy United States Representative to the United Nations Atomic Energy Commission (Osborn) to the Director of the Office of United Nations Affairs (Rusk)*

CONFIDENTIAL

[PARIS,] September 21, 1948.

Subject: Talk with General McNaughton on atomic energy in the General Assembly.

At lunch today General McNaughton told me that he had this morning talked with the Canadian Prime Minister<sup>1</sup> and that their views were identical and would be strongly pressed. General McNaughton expressed them as follows:

They desire the General Assembly to confirm the General Findings and Recommendations of the First Report, the Specific Proposals of the Second Report, and the Report and Recommendations of the Third Report, and to press immediately for the sponsorship of a resolution to this effect by the fourteen nations of the majority. They suggest a conference at the earliest possible date with the delegates of the permanent members, to agree on the exact form of the resolution, following which agreement would be urged on the others of the fourteen.

I will follow this up with General McNaughton, the French, British, Chinese, and probably the Belgians. This conference should be held in the next few days.

In addition to the above attitude on atomic energy, General McNaughton and the Canadian Prime Minister are strongly opposed to the entire British position—the lumping of Article 43, CCA and AEC together, and getting into a general debate on the subject of Soviet intransigence, veto, etc. General McNaughton feels that this

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<sup>1</sup> William Lyon Mackenzie King, Prime Minister and Chairman of the Canadian Delegation to the General Assembly.



would confuse the atomic energy debate, that we are not ready for the debate on the other matters because they have not yet been brought far enough along, and says that the Canadian Delegation will bitterly oppose this British view. However, the Canadian Delegation desires to continue the work of the CCA until it has been brought to approximately the present position of the AEC, when it can then be reported to the General Assembly and debated there.

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### *Editorial Note*

George C. Marshall, Secretary of State and Chairman of the United States Delegation, addressed the 139th Meeting of the General Assembly on September 23, 1948, during the general debate phase of proceedings. Among the objectives of the United Nations which he cited were the following:

"The early adoption of an international system for the control of atomic energy, providing for the elimination of atomic weapons from national armaments, for the development of atomic energy for peaceful purposes only, and for safeguards to ensure compliance by all nations with the necessary international measures of control.

"Under an adequate and dependable guarantee against violation, a progressive reduction in armaments as rapidly as the restoration of political confidence permitted."

For the record of Marshall's statement, see United Nations, *Official Records of the General Assembly, Third Session, Part 1, Plenary Meetings*, pages 36-44, (hereafter cited as GA (III/1), *Plenary*); for full text, see Department of State *Bulletin*, October 3, 1948, pages 432-435.

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#### IO Files

*Memorandum of Conversation, by the Deputy United States Representative to the United Nations Atomic Energy Commission (Osborn)*

#### SECRET

[PARIS,] September 23, 1948.

François de Rose, French representative on the Atomic Energy Commission for the past two years, called to discuss the handling of atomic energy matters in the General Assembly. He said that he expected that he would be chief advisor to Mr. Ramadier,<sup>1</sup> the French Delegate who will handle the actual debate.

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<sup>1</sup> Paul Ramadier, French Minister of National Defense and Member of the French Delegation.



De Rose said that he and Mr. Parodi, French Representative to the UN, saw no possible alternative to having the General Assembly vote upon a resolution approving the three Reports of the AEC. That this was the plain responsibility of the GA. He takes it for granted that the resolution will have the sponsorship of the fourteen nations who have, at one time or another, been on the majority side of the AEC. He feels that the United States must take the leading role in the discussion, particularly on the merits of the plan, though not to the exclusion of the leading roles to be played by McNaughton of Canada and the British. The basis of the debate should be approval of the First and Second Reports, from which approval of the Third Report naturally follows. He went over the proposed draft resolution which is similar to the one discussed by the majority delegates to the AEC in New York<sup>2</sup> and suggests that after we have heard Vishinsky's opening speech, those majority delegates of the AEC who are in Paris—McNaughton, Cadogan, de Rose, the Chinese and Osborn—should get together to see if they have any recommendations to make to their respective delegations on the resolution and the handling of it. De Rose feels that it would be a good idea to divide up the different delegations to the GA among a group of the sponsoring powers so that each delegation to the GA would be well informed in advance as to what the debate is about but without exerting any pressure on them as to how they will vote. He feels that the time when atomic energy should come up in Committee 1 would depend in part on the issues Vishinsky brings out in his speech. He is against reference to an Ad Hoc Committee; thinks well of Mr. Atherton's<sup>3</sup> suggestion that Spaak<sup>4</sup> make an opening statement introducing the resolution.

De Rose feels strongly that arrangements should be made for the introduction of an additional resolution, or an amendment to the basic resolution should be proposed by some country not a member of the AEC in which the General Assembly would instruct the sponsoring powers to confer and report back at the next meeting of the General Assembly. He says that this proposal has been approved in the Quai d'Orsay and he feels that some positive action should be taken to see that such a resolution or amendment is introduced. He thinks it important that it should be introduced by a European nation, and suggests Norway.

De Rose was pleased to know that the British had agreed to debate atomic energy first, and I gather that he does not think well of the British plan of having a general discussion of all disarmament questions.

<sup>2</sup> For text of the resolution considered in New York by Delegations supporting the majority position regarding the work of the United Nations Atomic Energy Commission, see record of the meeting of July 28, p. 369.

<sup>3</sup> Ray Atherton, Alternate Member of the United States Delegation.

<sup>4</sup> Paul-Henri Spaak, Belgian Prime Minister and Minister for Foreign Affairs; Chairman of the Belgian Delegation; Chairman of the First Committee of the General Assembly (Political and Security Questions).

The French government has arranged to print a considerable number of pamphlets containing the plan proposed by the Commission and some related matters, in general similar to the pamphlets we had printed in the U.S. and brought over here for distribution. The French edition should be ready next week.

FREDERICK OSBORN

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501.BC Armaments/9-2548 : Telegram

*The Secretary of State, in Paris, to the Acting Secretary of State*

PARIS, September 25, 1948—4 p. m.

Delga 117. Following is unofficial text, as handed to press, of resolution submitted by USSR at GA Plenary on September 25:<sup>1</sup>

“Noting that up to the present time practically nothing has been done to implement the Assembly’s decisions of January 24, 1946 on atomic energy as well as the decision of December 14 ‘on principles governing the general regulation and reduction of armaments’; recognizing the task of prohibition of production and use of atomic energy for war aims as a task of the first importance; recognizing that general substantial reduction of armaments satisfies the demands for establishing durable peace and strengthening international security and is compatible with the interests of the nations in making easier the heavy economic burden they bear as a result of excessive and ever-increasing expenditures for armaments in various countries; taking into account that the great powers—permanent members of the SC—possess the overwhelming number of armed forces and armaments and bear the main responsibility for maintenance of peace and universal security; for the purpose of strengthening the cause of peace, and eliminating the threat of a new war fomented by expansionists and other reactionary elements;

The GA recommends to the permanent members of the SC, the USA, Great Britain, the USSR, France, and China, as the first step in reduction of armaments and armed forces to reduce for one-third during one year all present land, naval and air forces;

The GA recommends to prohibit atomic weapons as weapons intended for the aims of aggression and not for those of defense;

The GA recommends to establish within the framework of the SC an international control body for the purpose of the supervision of and control over the implementation of the measures for the reduction of armaments and armed forces for the prohibition of atomic weapons.”

MARSHALL

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<sup>1</sup>The draft resolution which follows, A/658, was introduced by Andrey Yanuaryevich Vyshinsky, Deputy Foreign Minister of the Soviet Union and Chairman of the Soviet Delegation, during his address before the 143rd Plenary Meeting of the General Assembly, September 25 (during the general debate phase of proceedings). Vyshinsky’s statement constituted a far-ranging denunciation of United States policy. The Soviet representative devoted considerable attention to the alleged failure of the United Nations Atomic Energy Commission and the Commission for Conventional Armaments to achieve positive results. For the record of Vyshinsky’s address, including the official text of the resolution printed here, see United Nations, *Official Records of the General Assembly, Third Session, First Part, Plenary Meetings*, pp. 118–136. (Hereafter cited as GA (III/1), *Plenary*.)



IO Files: US(P)/A/C.1/20

*Memorandum of Conversation, by Mr. Howard C. Johnson, Adviser,  
United States Delegation to the United Nations General Assembly*

CONFIDENTIAL

[PARIS,] September 28, 1948.

Participants: Messrs. Falla, Fitz-Morris,<sup>1</sup> and Allen <sup>2</sup>—U.K. Delegation

Mr. Holmes <sup>3</sup>—Canadian Delegation

Messrs. Rusk, Osborn, Raynor, Smith, and Johnson—  
U.S. Delegation

Mr. Osborn and Mr. Rusk outlined the status of the negotiations between the three countries in the handling of the atomic energy question and asked if we were all agreed that the resolution on atomic energy should be sponsored by 14 present and past members of the United Nations Atomic Energy Commission majority.

Mr. Allen replied that the United Kingdom would agree to such sponsorship subject to satisfactory working out of a resolution or resolutions with respect to Conventional Armaments and Article 43.

Mr. Rusk suggested that after having completed the General Assembly consideration of the atomic energy question, the General Assembly might consider an over-all resolution as a substitute for Mr. Vyshinsky's resolution and indicated that it might be easier to obtain a condemnatory paragraph in such an over-all resolution.

It was agreed that each of the three countries would prepare a draft of such an over-all resolution and that an effort would then be made to reach agreement upon the various drafts. It was also agreed that a representative of the French Delegation would be included.

Finally it was agreed that an approach would be made to the Chairman of Committee I in an effort to persuade him to insist upon completing the Committee discussion on the atomic energy proposals prior to permitting discussion of Mr. Vyshinsky's resolution.

HOWARD JOHNSON

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<sup>1</sup> Gerald G. Fitzmaurice, Legal Adviser, British Delegation.

<sup>2</sup> Richard H. S. Allen, Adviser, British Delegation.

<sup>3</sup> J. W. Holmes, Adviser, Canadian Delegation.

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IO Files: US(P)/M(Chr)/8

*Minutes of the Eighth Meeting of the United States Delegation to the  
General Assembly, Hotel d'Iéna, Paris, September 29, 1948,  
9:15 a. m.<sup>1</sup>*

SECRET

[Here follow a list of persons (31) present and discussion of various subjects.]

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<sup>1</sup> For documentation on the composition and organization of the United States Delegation, see pp. 1 ff.



### 3. *Reports of the Atomic Energy Commission* (Mr. Osborn)

Mr. Osborn stated that in March 1948, it was realized that as a result of the Soviet position, the Atomic Energy Commission had reached an impasse and was simply being used by the USSR for propaganda purposes. It was decided at that time no further proposals should be considered. The United Kingdom, Canada, Belgium and France felt that negotiations had proceeded too rapidly.

In order to put this situation in proper perspective, a report had been prepared. Mr. Osborn noted that American views had been included, and that none of the states had pushed the point of exclusive national interest. However, when it became apparent that the Soviet proposals were nothing more than nonsense, the French had proposed that the Atomic Energy Commission should quit, expressing the view that its work was blocked by the Soviet refusal to consider proposals made by other states. The third report of the AEC resulted from this situation.

He pointed out that the Security Council, by reason of the Soviet veto, had been unable to take action on this report. It was now hoped that the General Assembly could adopt a resolution, sponsored by the past and present members of the AEC, except for the Soviet group, which resolution would almost exactly follow the one vetoed in the Security Council.

Mr. Osborn reviewed the provisions of the draft resolution.<sup>2</sup> This resolution would accept the three reports of the AEC and recognize that the recommendations of these reports constitute "the necessary basis for establishing an effective system of international control." It would also call upon all nations to accept the necessary basis for effective control of atomic energy. In addition a supplementary resolution or amendment which could be introduced by a state not a member of the AEC, had been prepared. This supplementary resolution would simply request the six principal members of the AEC (Canada, China, France, USSR, United Kingdom and United States) to consult, "in order to determine whether there exists a basis for agreement on the international control of atomic energy, and to report the results of their consultations to the next regular meeting of the General Assembly." Some consideration had been given to the possibility of asking Norway to introduce such a supplementary resolution.

Mr. Osborn informed the Delegation that twelve of the fourteen states which had been members of the AEC were willing jointly to sponsor this resolution. There was some question, however, as to Australia's position. It was explained that the resolution would be discussed in another informal meeting with representatives of Canada, the UK, and France before a final decision was made as to the exact

<sup>2</sup> For text, see Osborn's memorandum of conversation, July 28, p. 369.

terms in which it should be introduced in the General Assembly, presumably by General McNaughton (Canada).

Mr. Rusk indicated that there would be no serious trouble as regards the approval of the First, Second and Third Reports of the AEC. The approval of the Third Report would emphasize the political impasse which had developed among the commission members and would indicate the necessity of a political solution if the AEC were to conclude its work. In any event, under present circumstances there was serious objection to the commission continuing the technical phase of its work. Mr. Rusk believed the great difficulty was to decide what should be done next. The implication of the major resolution was that the sponsoring powers should move ahead. The real issue was the subject of the supplementary resolution—whether there existed a basis for the continued work in the United Nations on Atomic Energy. Mr. Howard Johnson said the greatest importance should be attached to obtaining joint sponsorship of the resolution. If it were introduced by the United States alone, the onus of suspicion would fall upon the United States.

Ambassador Austin strongly favored the resolution and believed it was absolutely necessary to supplement it by the additional proposal which would make possible consideration of the problem on the higher political level. He noted that the USSR and Ukraine had already charged the United States with terminating rather than suspending the work of the commission. It was a matter for further political negotiations on the high level. He indicated that de Rose (France) and McNaughton were strong advocates of this approach.

Speaking on the language of the supplementary resolution, Ambassador Austin proposed it should be altered to read “to determine *when* there exists a basis for agreement on the international control of atomic energy, and *thereupon to terminate the suspension hereby voted*,” and to delete the word “regular”, referring to the meeting of the General Assembly so that if agreement were reached early and a Special Session of the Assembly were convened, the subject could be taken up at that time. He believed the delay to the next Regular Assembly Session struck a discouraging note and would tend to undermine confidence; his amendment struck a more hopeful tone.

Mr. Cohen<sup>3</sup> suggested the resolution might even require the Security Council to reconvene the AEC. He suggested that the supplementary resolution might then be amended to read, “and thereupon to require the Security Council to reconvene the AEC to resume its work, and in any event to report the results of their consultation to the next regular meeting of the General Assembly.”

There was a general discussion as to whether it was desirable to provide for a report to any session of the General Assembly. If the

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<sup>3</sup> Benjamin V. Cohen. Alternate Member of the United States Delegation; Counselor, Department of State, September 1945–July 1947.



language were simply "to report to the Assembly" it might be considered that there was an obligation to report back to the present session. Moreover, it might not be desirable to make it mandatory for a special session to take up this matter, particularly if there was another reason making it desirable to hold the agenda of the special session to a single item. Mr. Osborn suggested that the change proposed by Mr. Cohen, involving reference to the Security Council made it desirable to return to the original language, the next regular meeting of the General Assembly. Mr. Ross<sup>4</sup> suggested that the language might simply refer to a report to the United Nations, but Mr. Osborn felt that the Assembly was entitled to receive such a report.

Mr. McKeever<sup>5</sup> noted that at the time the AEC had voted to suspend its operations there had been a great deal of public information work necessary to avoid the idea that it was not a suspension but a change to a higher level of negotiation. At that time the press had conveyed the impression that the United States was responsible for suspension, and he thought it would be imperative in this debate to indicate clearly that the United States is simply seeking a way in which negotiation on atomic energy can be resumed.

The Secretary asked for the views of the military advisors on this matter. Admiral Hewitt<sup>6</sup> stated that he believed any further technical work should be suspended and that it should be made clear that the United States has done everything possible to reach an agreement in this matter. Under the circumstances at this time it was impossible to proceed further with the work. He indicated that the Department of National Defense considered that no further steps could be taken without prejudicing the national security. General Crittenger,<sup>7</sup> confirming Admiral Hewitt's comments, indicated his agreement to the amendment of the supplementary resolution which had been suggested; and Admiral Hewitt agreed. Concurring in these views, General Harmon<sup>8</sup> stated that he had no additional comments.

Returning to the question whether a report should be made to the next meeting of the Assembly or to its next regular meeting, Mr. Rusk stated that while it was probably not desirable to commit a special session to consideration of this proposal, if the resolution merely referred "to the General Assembly", it could be made clear in the debate that no report was to be made to the present session and the matter would be left open. Ambassador Austin preferred to make the resolution

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<sup>4</sup> John C. Ross, Adviser, United States Delegation; Deputy to the United States Representative at the United Nations.

<sup>5</sup> Porter McKeever, Public Information Adviser, United States Delegation.

<sup>6</sup> Adm. H. K. Hewitt, Adviser, United States Delegation; United States Navy Representative to the United Nations Military Staff Committee.

<sup>7</sup> Lt. Gen. Willis D. Crittenger, Adviser, United States Delegation; United States Army Representative to the United Nations Military Staff Committee.

<sup>8</sup> Lt. Gen. H. R. Harmon, Adviser, United States Delegation; United States Air Force Representative to the United Nations Military Staff Committee.



clear on this point. Mr. Gross<sup>9</sup> thought it would be desirable not to preclude consideration, if necessary, by a special session. Mr. Jessup<sup>10</sup> believed that the rewording suggested by Mr. Cohen probably took care of this matter; if the consultations achieved affirmative results the matter could go to the Security Council and then on. If the results were negative, the matter could go over to the next General Assembly.

Mr. McKeever asked why it was thought necessary to have another state introduce the supplementary resolution. He thought it might be desirable to associate the United States with the idea of further consultation. Mr. Osborn replied that other delegations and the United States feel that the USSR does not mean business on this matter, and if the supplementary resolution is introduced by another state, it will make clear that the sponsoring states had no hope of achieving agreement by further consultations. Otherwise, their position in the Third Report would be contradicted.

[Here follows discussion of another subject.]

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<sup>9</sup> Ernest A. Gross, Alternate Member, United States Delegation; Legal Adviser, Department of State.

<sup>10</sup> Philip C. Jessup, Member of the United States Delegation; Deputy Chief, United States Mission at the United Nations.

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IO Files: US(P)/A/C.1/42

*Memorandum of Conversation, by Mr. Howard C. Johnson, Adviser,  
United States Delegation to the United Nations General Assembly*

SECRET

[PARIS, September 29, 1948.]

SUMMARY OF MEETING HELD IN THE OFFICE OF THE CANADIAN  
DELEGATION, SEPTEMBER 29, 1948, 11 A. M.

Subject: Atomic Energy and Armaments

Participants: [Mr. Osborn —United States Delegation]  
Mr. Johnson  
General McNaughton —Canadian Delegation  
Mr. Holmes  
Sir Alexander Cadogan—United Kingdom Delegation  
Mr. Falla  
Mr. Allen  
M. de Rose —French Delegation  
M. van Langenhove<sup>1</sup> —Belgium Delegation  
L. Rolin<sup>2</sup>

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<sup>1</sup> Fernand van Langenhove, Member of the Belgian Delegation; Permanent Belgian Representative at the United Nations.

<sup>2</sup> Henri Rolin, Member of the Belgian Delegation; President of the Belgian Senate.

Dr. Urdaneta <sup>3</sup>	—Colombian Delegation
Dr. Wei <sup>4</sup>	—Chinese Delegation
Dr. Arce <sup>5</sup>	—Argentine Delegation
Dr. van Roijen <sup>6</sup>	—Netherlands Delegation
(Reporter)	—Brazilian Delegation

General McNaughton explained the initiative taken by the Canadian Delegation in this manner; that Canada moved the resolution in the Security Council referring the question to the Assembly and hence had taken the initiative in calling this meeting today. He indicated that the Canadian Delegation wished to carry its knowledge and convictions on the subject of atomic energy to the General Assembly. He indicated the belief that the Soviet Union ultimately would have to accept the Atomic Energy Commission proposal and that he did not wish to make it more difficult to bring the Soviet bloc in. He hoped that all members of the Atomic Energy Commission could agree upon joint sponsorship of a General Assembly resolution approving their work. He also expressed the hope that all of the members of the Atomic Energy Commission majority could help in carrying the plan to other members. Mr. Osborn spoke of the endless efforts of the members of the majority and the frustration in the Atomic Energy Commission as the result of the Soviet tactics. He stated that the majority had worked informally together in a spirit of closest cooperation. He stated that as long as 18 months ago the Department of State had become convinced that the Soviet Union was not serious about atomic energy control and was using the Atomic Energy Commission as a propaganda forum only. But at that time other delegates decided to carry the work further and we were glad to do so with them. However, by this spring all the delegates of the major countries came to the conclusion that there was a complete impasse and that it was necessary to bring the matter to the General Assembly in the way now planned. The remaining items involved questions of national interest and are largely political; for instance, the United States position on stages, if written under present conditions of Soviet preparation for war would necessarily be very stiff, while if the Soviet had shown real evidences of world cooperation they might be quite different. He said it was our feeling that the General Assembly should approve the plan resulting from this earnest work of the Atomic Energy Commission or repudiate it.

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<sup>3</sup> Roberto Urdaneta Arbeláez, Chairman of the Colombian Delegation; Permanent Colombian Representative at the United Nations.

<sup>4</sup> Hsioh-ren Wei, Adviser, Chinese Delegation.

<sup>5</sup> José Arce, Member of the Argentine Delegation; Permanent Argentine Representative at the United Nations.

<sup>6</sup> J. H. van Roijen, Member of the Netherlands Delegation; Netherlands Ambassador in Canada.



Mr. de Rose indicated that he had no reluctance in taking part in the debate but that we should have a carefully planned method of handling the debate. He suggested that various delegations divide up the task of explaining the proposals; one for instance might explain ownership; another the functions of the Agency, etc. He suggested that further meetings of this group be held in an effort to carefully plan the debate in Committee I.

Dr. Wei said that he would state his conviction on the plan in presenting the case to Committee I; that the main purpose was to obtain support of the General Assembly for the UN proposals, and to understand that there was no alternative, and that the Soviet propaganda was wholly untrue.

Dr. van Roijen indicated that his country would support joint sponsorship. He indicated great ignorance on the part of most countries and emphasized the importance of explaining generally the extent to which this plan has been worked out in detail. He agreed with de Rose's views on procedure and stated that it would be necessary to work out agreement on the actual wording of a resolution.

Dr. Rolin who will represent Belgium in the debate, then spoke. (Mr. van Langenhove had previously advised us that Dr. Rolin, President of the Belgian Senate, had just come in and was not yet briefed on atomic energy.) Dr. Rolin indicated that in his personal view the key to the world political situation was disarmament—especially atomic energy control. He felt that Soviet fear of atomic weapons may be the cause of the Soviet attitude. He indicated that something must be done to bring to the public the fact that the majority have agreed upon a real plan. He stated, however, that the Atomic Energy Commission members should consider amendments, giving hope that agreement will be possible and to prevent giving the impression that the majority opposed any change. It is better, he said, to give the impression that we are ready for open discussion rather than give an ultimatum to the Soviet Union from the start. It was his feeling that the Security Council resolution should not be the starting point for drafting a General Assembly resolution which, in his view, must be meaningful in itself. It was also his view that the Third Report was too negative in speaking of the impasse; that the General Assembly must make possible a last effort to reach agreement. He was convinced that nothing more could be done but that we should not accept the recommendation of the Third Report.

Mr. Arce expressed the view that we should commence our discussions by acceptance of the fact that the Soviet Union does not want agreement. He stated that she is working on the bomb and does not want others to see what she is doing. He felt that the United States should say that it must hold the weapon to save the world against



the time when the Soviet Union would get it. He felt it important to get a great majority of the General Assembly to approve the Atomic Energy Commission proposals. He felt that in Committee I the approach of Mr. de Rose was sound but that in the General Assembly itself there should be a reply to the speeches of the Soviet bloc. The plan must be explained in simple terms in Committee I, and the discussion must terminate by the approval of a resolution. In his opinion, the Latin American Delegations will support the plan. (He later asked Mr. Osborn to have the United States contact the Caribbean countries.) In his view, the Vyshinsky resolution<sup>7</sup> was pure bluff, introduced for the purpose of confusion, and had no relation to the Atomic Energy Commission proposal. These should be kept completely separate. It was his suggestion that in Committee I, four or five delegations who best knew the proposals should take the lead.

Sir Alexander Cadogan stated that it was important for the majority to continue to stand together. He indicated that although the Security Council resolution was negative, that the United Kingdom thought it its duty to show what the situation was, and that continuing would be deluding the public. He stated, however, that the resolution had a positive objective—that the General Assembly might give some impulse to the question. It was his view that Soviet interventions would make it difficult to carry out de Rose's plan for dividing up the presentation and expressed the view that several governments would have to give a complete presentation at the beginning. He felt that a certain amount of repetition was necessary.

Dr. Urdaneta agreed with the comments of Dr. Arce and Sir Alexander Cadogan. He expressed the view that if three points were made clear the Latin American countries would give their full support: (a) The Soviet position; (b) if we can prevent confusing the consideration of the Atomic Energy proposals by direct discussion of the Soviet proposal and (c) that the plan does not constitute intervention in domestic affairs.

The Reporter from Brazil stated that Brazil would probably have no objection to joint sponsorship.

General McNaughton expressed the view that the resolution must be more understandable than the technical resolution of the Security Council and stated he would frame such a resolution and circulate it privately.

Dr. Rolin expressed the view that the resolution should not be introduced at the start but after a general discussion. He agreed with General McNaughton that the discussion on atomic energy should be kept entirely separate from the discussion of Vyshinsky's resolution. General McNaughton then stated that he assumed there was a con-

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<sup>7</sup> For text, see telegram Delga 117, September 25, p. 431.

sensus that the debate on these questions should be kept separate, and that we must insist that Committee I itself and not a Subcommittee discuss the atomic energy matter.

Mr. Arce suggested that General McNaughton show the resolution, in the first instance, to the United States, United Kingdom, France, China, Belgium and Canada, and then to the other members of the Atomic Energy Commission majority. This suggestion was approved.

Mr. Osborn stated that he would send 10 copies of the pamphlet prepared in the United States, containing the Atomic Energy Commission proposals, to each Delegation of the AEC majority and that the French were printing, in French, a somewhat similar pamphlet. He suggested the advisability of dividing up the work of the educating of the various member nations by the members of this group.

Dr. Wei stated that it was important that existing bombs be destroyed but that it was more important to destroy the mechanism for making more bombs.

*It was agreed:*

a. That General McNaughton would prepare a draft resolution for submission in the first instance to the United States, United Kingdom, France, China, and Belgium, and then to other members of the group.

b. That certain members of the Committee would divide up the task of educating other United Nations members, and

c. That another meeting would be held in the near future.

H. C. JOHNSON

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IO Files: US(P)/A/M(Chr)/9

*Minutes of the Ninth Meeting of the United States Delegation to the General Assembly, Hotel d'Iéna, Paris, September 30, 1948*

SECRET

[Here follow a list of persons (32) present and discussion of various subjects.]

## *2. Draft Resolution on Atomic Energy*

Mr. Osborn explained that, quite contrary to plans and expectations, Committee I was taking up at its meeting today, as the first item on its agenda, the question of atomic energy.<sup>1</sup> He had been in consultation

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<sup>1</sup> At its 143rd Meeting, September 29, the First Committee decided to place atomic energy first on its agenda, over the objections of the Soviet Union which desired to have its draft resolution on disarmament considered first (for text, see telegram Delga 117, September 25, p. 431). This decision was also contrary to the position of the United States and the United Kingdom who wished to have the question of Palestine considered first. For the record of the meeting, see United Nations, *Official Records of the General Assembly, Third Session, First Part, First Committee*, pp. 1-12. Hereafter cited as GA (III/1), *First Committee*.



with General McNaughton (Canada), who would speak first and introduce a resolution, one result of which would be to hold the debate in the framework which the United States wished to have. The draft resolution, he explained, followed that of the vetoed Security Council resolution on this subject, and the introductory "whereas" clauses were drawn almost directly from the Third Report of the Atomic Energy Committee.<sup>2</sup> He pointed out that the objectives of the draft resolution were identical with those discussed by the Delegation previously.<sup>3</sup>

Mr. Jessup inquired whether it was still contemplated that another state should introduce the supplementary resolution calling upon permanent members to consult on this matter. Mr. Osborn said it was too soon to say, but it could probably be worked out during the debate. Mr. Cohen suggested that it might perhaps be better to incorporate it into the main resolution. Mr. Osborn indicated, however, that the majority of the States which had sat on the Atomic Energy Committee felt that it was important to make a clear statement, so far as they were concerned, that further negotiations were of no value. Mr. Cohen said he had made his proposal on the assumption that it was desirable to make the door always open, and he regarded this approach as quite important psychologically. Mr. Rusk said this question of tactics had been discussed with the National Security Council and with a special Senate committee to clarify the situation. It had been agreed that it was not appropriate for the United States to introduce a resolution asking it and the other powers to undertake further negotiations, after which the Assembly might very well simply tell these states to go ahead and negotiate.

Mr. Dulles<sup>4</sup> inquired whether consideration had been given to the idea of going ahead and drawing up a convention on atomic energy, to become effective when it was approved by a majority of states, including the five permanent members of the Security Council. Such an approach, he observed, indicated a disposition to proceed with the work. It would negate charges that the United States is calling off

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<sup>2</sup> At the 144th Meeting of the First Committee, September 30, General McNaughton introduced draft resolution A/C.1/308; for text, see United Nations, *Official Records of the General Assembly, Third Session, First Part, First Committee, Annexes*, pp. 3-4. Hereafter cited as GA (III/1), *First Committee, Annexes*. The vital portion of the resolution, the part following the introductory clauses, was nearly identical with the draft discussed at the five power meeting of representatives to the United Nations Atomic Energy Commission, July 28; for text of the latter resolution, see the record of the July 28 meeting, p. 369. For the record of the 144th Meeting of the First Committee, see GA (III/1), *First Committee*, pp. 12-21.

<sup>3</sup> Reference is to discussion at the 8th Meeting of the Delegation, September 29; for the pertinent portion of the minutes of that meeting, see p. 432.

<sup>4</sup> John Foster Dulles, Member of the United States Delegation; an expert on foreign policy in the Republican Party.



negotiations and starting the race for atomic energy. Mr. Osborn indicated that this approach had been discussed last year. Although several states had initially favored the preparation of such a treaty, at the present time only Syria felt that a treaty should be completed, to deal with such things as sanctions, quotas, and strategic distribution. Other states, however, feel that it would be impossible to write a comprehensive treaty without introducing into it the stages of control. The Congress and the American public would demand a treaty with strict control stages, including inspection. A treaty which would not affront the United States opinion would give the Soviets a tremendous propaganda opportunity. He believed, moreover, that it was impractical to consider action of this sort, knowing that one of the states would not accept the convention. Mr. Dulles interpreted these statements as meaning that the United States program on the control of atomic energy was so tough that it could not be proposed to the U.S.S.R. without giving them tremendous propaganda opportunities. Mr. Rusk indicated that this was a correct view. Mr. Dulles wondered whether the fourth paragraph of the resolution <sup>5</sup> was necessary. It raised the question whether it was in the national interest to develop international control. Mr. Osborn said that he would discuss the deletion of this paragraph, with the British and Canadians and thought its omission could probably be agreed upon.

Mr. Gross questioned the phraseology of Paragraph 7,<sup>6</sup> which he thought might introduce unnecessary controversy. Mr. Jessup thought, however, it was important for the United States to face up firmly to the Soviet propaganda, indicating that this precise language came from the AEC Third Report, and commented it would be dangerous to introduce new language into such a complex subject at the eleventh hour.

[Here follows discussion of other subjects.]

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<sup>5</sup> Paragraph 4 of document A/C.1/308, the Canadian resolution, read as follows:

"Whereas only if traditional economic and political practices are adapted to the overriding requirements of international security can these proposals be implemented."

<sup>6</sup> Paragraph 7 read as follows:

"Whereas the Commission now reports that it has been unable to secure the agreement of the Soviet Union to even those elements of effective control considered essential from the technical point of view, let alone their acceptance of the nature and extent of participation in the world community required of all nations in this field by the first and second reports of the Atomic Energy Commission."

IO Files : US(P)/A/C.1/33

*Memorandum of Conversation, by Mr. John C. Ross, Adviser, United States Delegation to the United Nations General Assembly*

CONFIDENTIAL

[PARIS,] September 30, 1948.

Faris Bey<sup>1</sup> took me aside after the Committee 1 meeting this morning and asked me to convey the following message to Ambassador Austin which I did.

Faris Bey said that he felt it was necessary for him to introduce an amendment to the Canadian atomic energy resolution, in effect requesting the Atomic Energy Commission to resume the remainder of the work contemplated for it by the original General Assembly Resolution, namely, the drafting of a treaty.<sup>2</sup> Faris Bey said he did not think this action would in the slightest way derogate from the objection which he shares of making it very clear that it is the Russians and their associates who have blocked any progress in the field of atomic energy control. On the contrary, he said the process of drafting a treaty would make very much clearer to everyone who had not actively worked on atomic energy exactly what the specific points of difference are with the Russians, and thus this would further serve the purpose of revealing the true position of the Russians.

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<sup>1</sup> Faris el-Khoury, Chairman of the Syrian Delegation; Permanent Syrian Representative at the United Nations.

<sup>2</sup> The Syrian amendment, A/C.1/309, was introduced on October 1; for text, see GA (III/1), *First Committee, Annexes*, pp. 4-5.

IO Files : US(P)/A/M/(Chr)/10

*Minutes of the Tenth Meeting of the United States Delegation to the General Assembly, Hotel d'Iéna, Paris, October 1, 1948, 9:15 a. m.*

SECRET

[Here follow a list of persons (27) present and a discussion of European press reaction to General Assembly proceedings.]

*2. Proposed Position and Tactics on Soviet Disarmament Proposal*  
(Mr. Osborn)

Mr. Osborn explained that immediately after Vishinsky had introduced his proposal, a series of informal meetings had been started with the British and Canadians, to which the French had now been

added. These three states and the United States had more or less agreed on a common strategy. Discussions with other Delegations indicated support for their position. First of all, he said, it was agreed that the Vishinsky proposal must be completely separated from the problem of atomic energy. It must be thoroughly debated and then voted down. Any amendments would also be voted down. Then an entirely new resolution could be presented, debated and adopted. Mr. Osborn noted that Dr. Evatt<sup>1</sup> had been talking of the possibility of amending the Vishinsky resolution. The main purpose of the four states was to draft a sound resolution on this subject, which at the same time would have propaganda value. He indicated that the French member of the group had termed Vishinsky's proposals sheer hypocrisy, which deserved a little hypocrisy in return, particularly so that the final product would actually mean something to the man on the street.

The four states had divided into two working groups; the first was attempting to draft a resolution embodying a sound approach to the problem, the second was working along the line of a propaganda resolution which at the same time would be safe technically. Mr. Osborn expected that both drafts would be available by tomorrow.

The Secretary inquired what the French attitude was, pointing out that to a large extent France was already disarmed. He wondered how they could discuss this situation, which he compared to that of a penniless man talking to a millionaire. It seemed to him there was a tremendous propaganda opportunity to exploit the disarmament of France as opposed to the immense armaments of U.S.S.R.

Mr. Dulles asked whether a substitute resolution or an amendment was being considered. Mr. Osborn replied that a substitute resolution was thought essential, so that the Vishinsky resolution would be decisively voted down and the Soviet Union could not subsequently claim credit for the resolution which had been approved, even though it might have been amended.

Mr. Cohen believed that the greatest effort should be made not simply to get out propaganda slogans but to circulate concrete facts on this matter. He thought it was important to get over the idea that the great danger in armaments was the unbalance between Western Europe and the Soviets. The rest of the world was not important in this regard. In his view, the best propaganda was insured by sound policy. He thought it would be important to refer to this problem in terms of ideas, enumerating, for example the issues which the Soviets refused to settle, the actual settlement of which, could pave the way for disarmament.

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<sup>1</sup> Herbert V. Evatt, Chairman of Australian Delegation and President of the Third Session of the General Assembly; Deputy Prime Minister and Minister of External Affairs of Australia; Australian Representative to the United Nations Atomic Energy Commission.



Commenting on Mr. Osborn's remarks, Mr. Ross observed that there seemed to be complete agreement that discussion of the Vishinsky resolution should be sharply separated from the atomic energy item. He believed this would be extremely difficult, since the Soviets had failed to get the first place on the Committee 1 agenda for their proposal. He commented that it was important to make sure that some of the best debaters for our side, like Hector McNeil,<sup>2</sup> are not drawn off in the course of the debate to discussion of Soviet material. As for the question of amendment of the Vishinsky resolution, he believed the experience last year on the Soviet proposal on war mongering provided a lesson.<sup>3</sup> He recalled that at that time considerable sentiment developed in favor of meeting the Soviet proposal. For this reason, careful plans should be made in this case to lay the ground by political negotiation for a position against any amendments. Such political work should be taken immediately, before amendments were presented.

[Here follow additional consideration of tactics and discussion of other subjects.]

<sup>2</sup> Sir Hector McNeil, Member of the United Kingdom Delegation to the General Assembly; Minister of State, British Foreign Office.

<sup>3</sup> For documentation on this subject, see *Foreign Relations*, 1947, vol. I, pp. 76 ff.

IO Files: US(P)/A/M/(Chr)/11

*Minutes of the Eleventh Meeting of the United States Delegation to the General Assembly, Hotel d'Iéna, Paris, October 4, 1948, 9:15 a. m.*

SECRET

[Here follows a list of persons (28) present.]

#### 1. *Developments on Atomic Energy* (Mr. Osborn)

Mr. Osborn reviewed for the Delegation the situation resulting from the introduction of the Soviet resolution on atomic energy, October 2.<sup>1</sup>

<sup>1</sup> At the 147th Meeting of the First Committee, October 2, Andrey Y. Vyshinsky, the Soviet Representative, submitted a draft resolution (A/C.1/310) which read as follows:

"The General Assembly,

Having examined the first, second and third reports of the Atomic Energy Commission and noting that the activities of the Security Council and of the Atomic Energy Commission directed towards implementing General Assembly resolution 1 (I) of 24 January 1946 on the establishment of a commission to deal with the problems raised by the discovery of atomic energy and of resolution 41 (I) of 14 December 1946 on principles governing the general regulation and reduction of armaments have not so far yielded positive results,

Considering the paramount importance of implementing the above-mentioned General Assembly resolutions of 24 January 1946 and 14 December 1946,

Recommends to the Security Council and the Atomic Energy Commission:

1. To continue their activity in the direction laid down in the above-mentioned General Assembly resolutions; and

2. To prepare a draft convention on the prohibition of atomic weapons and a draft convention on the establishment of effective international control over atomic energy, both the convention on the prohibition of atomic weapons and the convention on the establishment of international control over atomic energy to be signed and brought into operation simultaneously."

For the record of the 147th Meeting, see GA (III/1), *First Committee*, pp. 46-53.

He explained that the Soviet resolution repudiated the terms of reference of the Atomic Energy Commission established by the General Assembly, but indicated that this was the same interpretation which the U.S.S.R. had made all along. In addition, a resolution had been introduced by Syria<sup>2</sup> which approved the reports of the Atomic Energy Commission and stated that, if the U.S.S.R. would not negotiate, the remaining states should negotiate a treaty. Affirmative action on this resolution would cause difficulty. The other resolution before Committee 1, which was introduced by Canada,<sup>3</sup> was acceptable; it approved the work of the Atomic Energy Commission for the last two years and at the same time promised resumption of negotiations as soon as a basis for agreement was reached by the four major powers.

Mr. Osborn referred to Rolin's proposal for the appointment of a committee.<sup>4</sup> This proposal was also supported by Ramadier. It appeared possible that this committee might be composed of the sponsoring powers. The draft supplementary resolution, which had been previously discussed in the Delegation,<sup>5</sup> would fit into this arrangement.

Mr. Osborn explained that it was contemplated that the debate this week would review the general plan and set the stage for action acceptable to the United States. Ambassador Austin would discuss the control of nuclear plants; General McNaughton would discuss the mining and production of nuclear materials; M. de Rose would discuss inspection. Ambassador Austin pointed out that this approach would go directly to the issue and unrelated discussions would be foreclosed.

Following Mr. Osborn's explanation, Ambassador Austin stated that no action on this matter was necessary by the Delegation.

[Here follows discussion of other subjects.]

<sup>2</sup> Reference is to A/C.1/309; for text, see GA (III/1), *First Committee, Annexes*, pp. 4-5.

<sup>3</sup> For information regarding this draft resolution (A/C.1/308), see footnote 2, p. 441.

<sup>4</sup> At the 146th Meeting of the First Committee, October 1, 3 p. m., Henri Rolin, the Belgian Representative, proposed that a subcommittee of the First Committee be appointed to continue consideration of international control of atomic energy; for the record of the 146th Meeting, see GA (III/1), *First Committee*, pp. 33-46.

<sup>5</sup> This question had been discussed at the 8th and 9th Meetings of the Delegation, September 29 and 30, respectively; for the pertinent portions of the minutes of those meetings, see pp. 432, and pp. 440.



501.BC Atomic/10-448: Telegram

*The Acting Secretary of State to the Secretary of State, in Paris*

SECRET URGENT

WASHINGTON, October 5, 1948—2 p.m.

Telmar 38. From Lovett for Marshall. Ref Martel 29, Oct 4<sup>1</sup> (repeated in part to New York for Baruch). Baruch proceeding with preparation press statement but prior to its release has requested that following suggestions be passed along to you:

1. He is of strong opinion that Austin, Osborn and Arneson<sup>2</sup> should extend all efforts to line up doubtful votes through personal conversations with other delegations.

2. Soviet propaganda should be rebutted by Paris team on the spot through medium French press and radio.

3. He expresses trepidation that if above is not done,<sup>3</sup> a press statement by him might give appearance that he is interjecting himself independently in matter within competence Paris team with possibility embarrassing Austin, et al.<sup>4</sup>

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<sup>1</sup> In telegram Martel 15, September 28, not printed, the Secretary of State had informed Lovett that he believed it desirable that Baruch make an early statement on atomic energy "offsetting Vyshinsky's attack." (501.BC Atomic/9-2848) In telegram Telmar 21, September 29, not printed, Lovett indicated that Baruch was preparing a statement, but "would appreciate a draft which Arneson could prepare of what you would like him to say." (501.BB/9-2848) Arneson and Osborn submitted certain points which Baruch might make, rather than offering the complete text of a statement, in telegram Martel 29, October 4, not printed. (501.BC Atomic/10-448)

<sup>2</sup> R. Gordon Arneson, Adviser, United States Delegation; Special Assistant to the Under Secretary of State for atomic energy policy.

<sup>3</sup> The Secretary of State's telegram Martel 37, October 6, read as follows:

"Reurtelmar 38. We have been urgently doing as is suggested in Baruch's Paragraphs 1 and 2. What I wanted fast was counter-propaganda campaign started in US since build-up reaction to Vyshinsky's last clever proposal had been serious." (501.BC Atomic/10-648)

<sup>4</sup> Telegram 1101 from New York, October 7, contained a further explanation by Baruch of his position, which read as follows:

"As to stimulating sentiment on the soundness of the American position and supporting it in the face of the attacks made by Vishinsky, that is already under way. No sooner had I heard from the General through you than I began to work with various elements of the press and radio so that the American position would be strongly supported by American public opinion. That effort is already bearing fruit. Editorials of the type that the *Herald Tribune* printed yesterday, Tuesday, and reprinted in Paris, Wednesday, are being published throughout America. So are supporting commentaries on the air. The counter-propaganda is well under way.

As to a statement from me, without a formal request that I make it, I and my associates are quite certain that this would be unwise and too self-serving to be effective. It would look as if I were patting myself on the back without any seeming justification for that action. More particularly since the problem clearly is in Paris, not this country, and I am not at all certain what action the situation there calls for.

If the Department were to ask me for support, it would be my duty as well as my privilege as an American. But, as I say, unless the request were made, it would look as if I were merely tooting my own horn and I question the wisdom of the Department making such a request.

I should be glad to talk to General Marshall on his arrival and I hold myself in readiness to answer any call he, or you, may make". (501.BC Atomic/10-748)



4. Therefore, although it has been made clear to him that you have specifically requested his assistance on simultaneous attack re Soviet propaganda, Baruch indicates desire that it be made clear that your request still stands in light of foregoing. Reply requested soonest.<sup>5</sup>

5. Bedell Smith was with Baruch time of our call and expressed his concurrence Baruch's views particularly regarding 1.

Following for Arneson from Lovett. Chase<sup>6</sup> proceeding to New York today to assist Baruch but will return as soon as possible to help Russell's office in preparation material for major broadcast program on same subject to follow Baruch's statement.

LOVETT

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<sup>5</sup> Telegram Telmar 45, October 6 (based on telegram 1099 from New York, October 6, not printed), read as follows:

"Baruch indicates willingness to make statement on atomic energy debate provided (1) he be permitted to indicate Secretary Marshall's suggestion prompted statement and (2) statement will be Baruch's and will not be submitted for prior Department approval. Baruch additionally desires that these two facts will be made clear to press by Baruch. Is this agreeable?" (501.BC Atomic/10-648)

Marshall's reply, telegram Martel 40, October 8, read as follows:

"Reur Telmar 45, I fear conditions set by Baruch, particularly the first, will destroy purpose for which originally intended. Hold this until my arrival." (501.BC Atomic/10-848)

<sup>6</sup> Joseph Chase of the Office of the Under Secretary of State; Staff Member, United States Delegation to the United Nations Atomic Energy Commission, 1946-1948.

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Department of State Atomic Energy Files

*Mr. Bernard M. Baruch to Mr. John Foster Dulles, Member of the United States Delegation to the General Assembly*<sup>1</sup>

NEW YORK, October 5, 1948.

DEAR FOSTER: The newspapers have kept the American public pretty well posted about atomic energy. I have received nothing from the Department which has added anything to my information.

Today I received an undated document marked "secret" which referred to something on the French radio this morning in which they spoke of the necessity for debunking the Soviet maneuver in "simplest phraseology possible and that full emphasis be placed upon crux matter, all too often veiled by need for technical and semitechnical explanations in Committee meetings." Then it went on to tell what should be done and what should be said here.<sup>2</sup>

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<sup>1</sup> Dulles transmitted copies of this letter to Austin and Osborn on October 12. Austin's copy, obtained from the files of the United States Mission to the United Nations, bears the following marginal comment by the Senator: "This mysterious message coincides with the dispatch from Osborn and Arneson to Lovett sent without my approval or knowledge." Reference is presumably to telegram Martel 29, October 4, mentioned in footnote 1, p. 447.

<sup>2</sup> Document not identified.

The last paragraph reads "Secretary has seen foregoing and concurs. He tells me he has been urging such counterpropaganda reaction especially by Baruch.<sup>3</sup> Time is important."

For the life of me I cannot see why Austin, Osborn and Arneson are not ready to do exactly what they said they want done here. They should do it on the scene and on the same level from which the propaganda is sent forth.

The American newspapers, especially in all the editorials, know just exactly what is taking place and they have defended the American position in a very logical and simple manner. For instance, here is one from the *Herald Tribune* today.

The jitters of the French, which may or may not be their own ideas and might be stimulated by other countries, are exactly what I had to meet in the Atomic Energy Commission. This was overcome by stating exactly where we would stand, if we had to stand alone, by arguments which were presented daily to the Commission showing the hollowness of the various contentions against the majority proposals, and constantly keeping the press and radio advised.

I spent most of my time talking with members of the delegations and showing up the various Soviet counterproposals. That is what ought to be done now. If we haven't sufficient men over there, let them get them.

I would like to call your attention again to the resolution of the General Assembly, passed January 24, 1946, in London which reads:

*"Section V. Terms of Reference of the Commission*

"The Commission shall proceed with the utmost despatch and enquire into all phases of the problem, and make such recommendations from time to time with respect to them as it finds possible. In particular the Commission shall make specific proposals:

"(a) For extending between all nations the exchange of basic scientific information for peaceful ends;

"(b) For control of atomic energy to the extent necessary to ensure its use only for peaceful purposes;

"(c) For the elimination from national armaments of atomic weapons and of all other major weapons adaptable to mass destruction;

"(d) For effective safeguards by way of inspection and other means to protect complying States against the hazards of violations and evasions.

"The work of the Commission should proceed by separate stages, the successful completion of each of which will develop the necessary confidence of the world before the next stage is undertaken . . . ."

The move by Vishinsky in which he suggested outlawing the bomb simultaneously with the setting up of a committee of inspection is

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<sup>3</sup> Regarding Marshall's correspondence with Baruch on this subject, see telegram Telmar 38, p. 447.

absurd on its face, because if we outlaw the bomb, that settles that. But it will take great patience and time to set up the control and inspection. And, don't forget that one of the important parts was the setting up of punishment, swift, sure and condign, of a violator. The Soviet proposals are only another form of the pious Kellogg-Briand pacts. The thing has to be done in a package and done with effective safeguards and by stages. The only thing that stands in the way of the over-running of Europe today is the atom bomb. When once we outlaw that, there is nothing to stop the Russian advance.

I do not see why, if we outlaw the bomb, we should not outlaw war itself, but you could not do that until you set up inspection, control and punishment to see that no one broke the agreement.

And, as I once told you, until America makes up its mind what it wants in peace and makes some global peace suggestions, it seems to me we will be on the defense continually, with our opponents choosing a field here, there and everywhere.

Sincerely yours,

BERNIE

P.S. After this letter was written, word came through that the UN had voted to continue discussions on atomic energy<sup>4</sup> which confirms my previous doubts as to what was the intended objective of any statement solicited from me and of efforts to deal with the situation in Paris through any but on-the-spot means.

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<sup>4</sup> Reference is presumably to the proceedings of the First Committee's subcommittee on atomic energy, appointed October 7. Although that body did not actually "vote to continue discussions on atomic energy" prior to receipt by Dulles of this letter, including its postscript, the United States, and other nations supporting the majority position on the United Nations Atomic Energy Commission, did support in the subcommittee the "supplementary resolution" proposed by New Zealand on October 7 (A/C.1/314; for text, see footnote 3, p. 454. The substance of that resolution was incorporated into the draft approved by the subcommittee on October 12. For the report of the subcommittee, A/C.1/333, October 15, see GA (III/1), *First Committee, Annexes*, pp. 16-20.

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501.BC Armaments/10-748: Telegram

*The Acting Secretary of State to the Secretary of State, in Paris*

TOP SECRET

URGENT

WASHINGTON, October 7, 1948—7 p.m.

NIACT

Gadel 147. Dept has reservations re del decision Oct. 1, on handling Soviet disarmament proposal as reported Delga 187, Oct. 2, 9 a. m.,<sup>1</sup> and desires consult Secretary on his return here Oct. 9. Accordingly you should endeavor not to participate in disarmament debate in Commit-

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<sup>1</sup> Delga 187, not printed. reported the decisions taken by the Delegation at its 10th Meeting, October 1; for the pertinent portion of the Minutes of that meeting, see p. 443.



tee 1 pending further instructions. For your most secret info Dept wonders whether from propaganda point of view some more affirmative response to Soviet proposals might not be made.

In view of fact that tomorrow will be devoted to plenary session we are hopeful that our non-participation in debate can be contrived inconspicuously.

LOVETT

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IO Files : US (P) / A / M (Chr) / 12

*Minutes of the Twelfth Meeting of the United States Delegation to the General Assembly, Hotel d'Iéna, Paris, October 7, 1948*

SECRET

[Here follow a list of persons (33) present and discussion of various matters.]

### 3. *Developments on Atomic Energy* (Mr. Osborn)

Mr. Osborn explained that, after six days of debate in Committee 1, the Soviet bloc had been able to keep the situation sufficiently confused so that the majority of the delegates did not correctly understand the issues involved and the various proposals which had been introduced. The debate had started with the introduction by General McNaughton of a resolution approving the reports of the Atomic Energy Commission and stating that its work should be suspended until the USSR agreed to participate on the majority basis.<sup>1</sup>

Subsequently, a number of other resolutions had been submitted. Syria had proposed an amendment calling for the conclusion of the convention even though such a convention might not be agreed to by the USSR.<sup>2</sup> An Australian resolution followed this same general line.<sup>3</sup> Rolin of Belgium had proposed that an agreed resolution could best be worked out in sub-committee, although Mr. Osborn noted that this proposal presupposed that the USSR would agree with the majority, which it had failed to do for the last two years in the Atomic Energy Commission.

Mr. Vyshinsky had confused the debate further by the introduction of a resolution which would have repudiated all the work that had been done by the Atomic Energy Commission and which would require starting over on the basis of the action of the General Assembly

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<sup>1</sup> For information regarding the Canadian draft resolution, A/C.1/308, see footnote 2, p. 441.

<sup>2</sup> For text of the Syrian amendment to the Canadian resolution, A/C.1/309, see GA (III/1), *First Committee, Annexes*, pp. 4-5.

<sup>3</sup> For text of the Australian amendment to the Canadian resolution, A/C.1/313, October 6, see GA (III/1), *First Committee, Annexes*, pp. 5-6.

in 1946, as this action was interpreted by the USSR.<sup>4</sup> Mr. Osborn noted that from the time Mr. Vyshinsky had introduced his proposal, it had become apparent that a majority of the Assembly delegations simply did not understand the problem.

With one speaker inscribed on the list, the Chairman of the Committee had announced that after this speaker, the debate would be closed and the Committee would proceed to vote. Ambassador Austin, recognizing that the Committee was not ready to vote, had discussed the situation with the Canadian representative, who then asked for an adjournment on the grounds that he wished to modify his original proposal. This was the situation as of last night.

During the evening, members of the Delegation, including Ambassador Austin and Mr. Osborn, had met with the British, French, Belgians and Canadians. Mr. Osborn said that Rolin, McNeil and Parodi had argued insistently that the temper of the Assembly required the appointment of a sub-committee to go into the various atomic energy proposals. Although Ambassador Austin had pointed out the difficulties which such a procedure would raise (in particular, having to debate the Vyshinsky resolution), the others had still insisted on a drafting sub-committee, and he reluctantly agreed. Mr. Osborn pointed out that with this adverse sentiment it was doubtful whether, if the United States had pushed for an immediate vote, it could have obtained a significant majority in favor of its position.

After it was agreed to constitute a sub-committee, Mr. McNeil promised to arrange for New Zealand to introduce the amendment previously discussed, asking the sponsoring powers to consult and to report the results of their consultations to the next meeting of the Assembly. After this resolution was introduced, the Canadians would accept the idea of a drafting committee. Mr. Osborn thought that it was very likely that the drafting committee would report on the Canadian resolution, plus the amendment introduced by New Zealand, together with a minority proposal by the USSR. Under these circumstances, he believed there would be no question that the United States would obtain a substantial majority for its position.

Ambassador Austin emphasized that the present situation was one which, if not handled carefully, could result in the acceptance of the Syrian amendment to proceed to the drafting of a convention. This was true because the chairman of the Committee had announced that he would put the amendments to the vote in the order in which they had been submitted. In fact, Ambassador Austin believed that unless the sub-committee were successful, the Committee would still approve the Syrian amendment. He felt the Canadian resolution as amended

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<sup>4</sup> For text of the Soviet resolution, A/C.1/310, see footnote 1, p. 445.

would hold out great promise to the other delegations since it contemplated unanimity, and, if the Assembly strongly backed the idea of further consultations, there was a chance agreement might be reached. In other words, the events of the last six days' debate had brought the United Nations to a parting of the ways, and if he had not gone along with the views of the others last night, the United States position would have been severely beaten on the vote.

Ambassador Austin did not think a sub-committee was necessary, but hoped that its work might make the other members of the United Nations understand the actual situation among the five great powers. He hoped that the sub-committee would serve as a sort of solvent in this increasingly difficult situation. The Secretary asked for other comments and himself pointed out that this problem must be considered in relation to the total present situation regarding the maintenance of international peace.

[Here follows discussion of other subjects.]

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IO Files : US (P) / A / M (Chr) / 13.

*Minutes of the Thirteenth Meeting of the United States Delegation to the General Assembly, Hotel d'Iéna, Paris, October 8, 1948*

SECRET

[Here follow a list of those (32) present and discussion of various subjects.]

## 2. Atomic Energy Developments

Mr. Blaisdell<sup>1</sup> referred to the fact that Committee I yesterday had set up a sub-committee which was charged with the task of examining the various proposals on the control of atomic energy and with reaching agreement on a resolution for submission to the Committee.<sup>2</sup> Ambassador Austin explained that Committee I had concluded a rather tumultuous debate yesterday with the adoption of a resolution for a sub-committee of 11 members. Among the eleven were the six sponsoring Powers. He noted that the sub-committee had limited terms of reference—to deal with the resolutions offered by various members and to prepare an agreed draft. Mr. Osborn would sit on the sub-committee while Ambassador Austin would participate in the disarmament discussions of Committee I, which would take up disarmament pending the report of the sub-committee on atomic energy.

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<sup>1</sup> Donald C. Blaisdell, Adviser, United States Delegation.

<sup>2</sup> For the record of the 152nd Meeting of the First Committee, October 7, 10:30 a. m., see GA (III/1), *First Committee*, pp. 85-96.



Mr. Osborn felt the sub-committee was a strong one and expressed the hope that it would report out a strong resolution for which most Members could vote. Mr. Dulles asked whether it was contemplated that such a resolution would keep the Atomic Energy Commission alive. Mr. Osborn replied that it might be possible to change the wording of the Canadian resolution so that the effect will be the same without using the word "suspended". He believed the United States should stand firm on its refusal to go back to the Atomic Energy Commission and begin all over again.

Ambassador Austin emphasized two points: (1) the necessity of adhering to the work of the Atomic Energy Commission as done and of obtaining substantial support for it from the General Assembly, and (2) to keep the fire of hope burning in order to carry out the exact spirit of the General Assembly action on atomic energy. Those were the two points he believed the United States should fight for in the sub-committee.

Mr. Blaisdell noted that the Delegation had already taken a decision on the Canadian and New Zealand resolutions<sup>3</sup> so that no further action was necessary. The secretary stated that the Delegation would proceed on the basis outlined.

### 3. *Soviet Disarmament Proposal*

The Delegation discussed possible strategy for dealing with the Vishinsky disarmament resolution.<sup>4</sup> Mr. Johnson explained that the Soviet proposal called for a reduction of one third in the armaments of the Great Powers. He commented that in his speech yesterday, Mr. Vishinsky had made the strongest attack to date on the Western Powers.<sup>5</sup> Mr. Johnson explained that the position which would be recommended arose out of negotiations last summer with the British and French. The British had originally felt that there should not be separate discussions on atomic energy, disarmament, and Article 43 forces. The British had, however, agreed to separate the atomic energy discussions and in return for this concession, Mr. Johnson believed that the United States was more or less committed to support the British substitute for the Vishinsky proposal (US(P)A/C.1/49/Rev.

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<sup>3</sup> For information on the Canadian resolution, A/C.1/308, see footnote 2, p. 441. The New Zealand resolution, A/C.1/314, introduced October 7, read as follows:

"The General Assembly requests the sponsors of General Assembly resolution 1 (I) of 24 January 1946, who are the permanent members of the Atomic Energy Commission, to consult following this session, in order to determine when there exists a basis for agreement on international control of atomic energy, and thereupon to re-convene the United Nations Atomic Energy Commission in order to resume its activities and in any event to report the results of their consultation to the next regular session of the General Assembly."

<sup>4</sup> For text, see telegram Delga 117, September 25, p. 431.

<sup>5</sup> For the record of Vyshinsky's remarks at the 153rd Meeting of the First Committee, October 7, 3 p. m., see GA (III/1), *First Committee*, pp. 96-101.

1)<sup>6</sup> unless there were some serious objections. The British would take the necessary initiative.

Ambassador Austin said he saw no objection to the British draft, provided there was no change in the general views of the Committee. He commented that there was almost nothing in the British draft. In any event, the United States position was not to encourage anything substantive under present circumstances, and in particular, until the Peace Treaties had been concluded, the control of atomic energy established, and the Article 43 Forces set up. All three things must come before the reduction of conventional armaments. The Soviet proposal for a one-third reduction was, of course, out of the question. Ambassador Austin referred to the speech made by Vishinsky in the Committee yesterday and said he felt it had automatically made everyone feel they would have to oppose the Soviet proposal. After some delay in the Committee, since no one was really prepared on this subject, the British representative had made an effective speech.<sup>7</sup> There were no further speakers, and Mr. Manuilsky<sup>8</sup> asked for an adjournment to give Members time to read Mr. Vishinsky's remarks.

Ambassador Austin believed the question of strategy might become very substantial in this case. It seemed to him that silence on the part of the United States might be golden. The Committee would quickly proceed to a vote and the British resolution would, under the rules, be voted on first, as an amendment in the nature of a substitute. There would be plenty of time to find out whether the Soviet resolution would be decisively defeated. He thought this procedural decision was of considerable importance, and said he believed it was better not to rush in but simply to go ahead with the preparation of a speech and watch developments in the Committee. The Secretary wondered whether there were any possibilities that the developments in the Committee might catch us off guard.

Reference was made to a telegram from the Department dealing with procedure in this case<sup>9</sup> but it was decided that circumstances in the Committee supported the strategy discussed above.

If the United States was not putting itself in a position where it might be surprised by developments, the Secretary believed that Am-

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<sup>6</sup> The draft resolution contemplated by the British Delegation, circulated in the United States Delegation as US(P)A/C.1/49 Rev. 1, is not printed. It was an antecedent of the draft actually introduced by the United Kingdom on October 10 (A/C.1/319); regarding that resolution, see footnote 7, p. 461.

<sup>7</sup> For the record of the remarks by Sir Hector McNeil at the 153rd Meeting of the First Committee, October 7, 3 p. m., see GA (III/1), *First Committee*, pp. 101-103.

<sup>8</sup> Dimitri Z. Manuilsky, Chairman of the Ukrainian Delegation; Vice President of the Council of Ministers and Minister for Foreign Affairs of the Ukrainian Soviet Socialist Republic.

<sup>9</sup> The telegram under reference has not been positively identified; reference is possibly to telegram Gadel 147, October 7, p. 450.



bassador Austin's recommendations were appropriate. He thought the Delegation should consider how the United States could protect itself in this situation. Ambassador Austin proposed that the United States should prepare a speech, and then simply sit and watch Committee developments. He believed that the United States would be able to find out through its conversations with other Delegations just what the trend in the Committee would be and in that manner could guard against any surprises. The Secretary then stated that he believed the procedure was appropriate. Mr. Dulles agreed and pointed out that there was not any particular propaganda value at the present time in seeking to encourage a resolution on general disarmament. Resolutions of this kind gave rise to hopes that would be thwarted. The Secretary commented that it would be most gratifying if no speeches were made, and the Soviet resolution was voted down. Assuming this would happen, and that the United States could be sure by checking on the way Delegations would vote, he favored the course of action discussed above.

Mr. Pell<sup>10</sup> reported briefly on the reaction to Vishinsky's disarmament speech and said that although there was very little comment in the European press, what there was was very unfavorable. For the first time the French press had been most vigorous in its criticism of the language and unparliamentary manner of Vishinsky. Mr. McKeever noted that this was the first time that there was no great public demand for disarmament since people were sophisticated as to the demands of the situation in 1948, and the usual emotional drive was lacking. Mr. Dulles said he thought most people would regard it as a great disaster if the United States were to disarm.

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<sup>10</sup> Robert T. Pell, Adviser, United States Delegation.

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IO Files : US(P)/A/C.1/85

*Memorandum of Conversation, by Mr. G. Hayden Raynor, Adviser,  
United States Delegation to the United Nations General Assembly*

SECRET

[PARIS,] October 8, 1948.

The following summarizes the discussions with various Delegations:

*Canada*

MESSRS. WILGRESS<sup>1</sup> and MACDONNELL.<sup>2</sup> The essence of the views expressed by the Canadians was that they would like to see a counter resolution of some kind because of public opinion at home. It would be

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<sup>1</sup> Dana Wilgress, Alternate Member of the Canadian Delegation; Canadian Minister in Switzerland.

<sup>2</sup> R. M. Macdonnell, Adviser, Canadian Delegation.



difficult for them to vote down flatly the Vyshinsky proposal without some substitute.

### *United Kingdom*

ROGER ALLEN. The United Kingdom Delegation feels that some substitute is needed. They are not certain as to the timing of its submission, or as to the timing as to when they should speak again. Earlier today they thought it might be better to hold their resolution back for a while but later in the day seemed to be changing their opinion in the direction of putting it in early. Cadogan has a set speech which he can make tomorrow if necessary, but they seemed to think it would be better not to speak tomorrow. In our conversation the implication was very strong that the British are anticipating full backing and a strong, blunt speech on our part. They are also not certain what the best timing would be for our speech, i.e., whether it should be made, after they offer their resolution, in support of it, or perhaps after Vyshinsky replies to Hector McNeil, which, they thought, would probably be tomorrow.

### *Belgian Delegation*

I did not inquire directly of the Belgian Delegation, but I overheard a conversation between Rolin, of Belgium, and Jebb, of the British Delegation, in which Rolin was taking the position that a good substitute resolution should be introduced. He was in effect asking Jebb if the Belgians could see any drafts which the British had on this, and perhaps work together on it.

### *Australia*

I did not inquire directly of the Australian Delegation, as MR. PLIMSOLL<sup>3</sup> has made it quite clear in the past that the Australians would consider voting down the Vyshinsky resolution only on the condition that something would replace it. Mr. Plimsoll attributed this view directly to Dr. Evatt in past conversations.

### *South Africa*

At first MR. ANDREWS<sup>4</sup> expressed the view that the best way to take care of the Vyshinsky proposal would be to refer it to the Conventional Armaments Commission. After I explained that this would be very undesirable, he agreed and seemed to concur with the idea that a substitute resolution of some kind would be the best solution. It was rather clear that the South African Delegation has not considered this question.

<sup>3</sup> Mr. J. Plimsoll, Alternate Member, Australian Delegation.

<sup>4</sup> Harry T. Andrews, Member of the South African Delegation; South African Minister in the United States.

*The Netherlands*

AMBASSADOR VAN ROIJEN, without hesitating, expressed the view that a substitute resolution should be introduced, and passed, and that the Soviet resolution should be voted down. He expressed the hope that the United States Delegation would speak strongly and bluntly on this subject, backing up and extending what has been said by Bevin and Spaak. He feels that McNeil has not carried the argument far enough, in placing emphasis on the question of safeguards and the opening up of Russia to inspection. He said that someone should make it clear that even this would not be enough, that we needed to be satisfied that conditions within Russia in the armaments field were all right. He thought the point should be made of the present imbalance of power.

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501.BC Atomic/10-848 : Telegram

*The Secretary of State, in Paris, to the Acting Secretary of State*

TOP SECRET

PARIS, October 8, 1948—3 p. m.

Martel 42. For Lovett from Arneson for Marshall.<sup>1</sup> Reference Telmar 54 October 7.<sup>2</sup> US support New Zealand amendment does not constitute reversal US position. New Zealand amendment does not change provision suspension UNAEC work. Recommendation of UNAEC third report permits sponsoring powers to consult to see whether Soviets have agreed on majority plan. New Zealand amendment has same purpose but adds GA request that the sponsoring powers do so after this session of GA. Consultations under New Zealand amendment would take place only on basis majority plan control and only for purpose of determining whether Soviets accept first and second reports as the necessary basis for effective control. Only in the most unlikely event that Soviets did so accept would work in UNAEC resume. [Arneson.]

MARSHALL

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<sup>1</sup> The Secretary of State flew from Paris to Washington on October 9; he returned to Paris on October 11.

<sup>2</sup> Telegram Telmar 54, not printed, stated that press reports of "reversal of U.S. atomic position by support of New Zealand Resolution [A/C.1/314; for text, see footnote 3, p. 454.]" had confused the situation for those attempting to refute the Soviet position on disarmament. The Department requested "calming clarification." (501.BC Atomic/10-748)

501.BC Armaments/10-848 : Telegram

*The Secretary of State, in Paris, to the Acting Secretary of State*

TOP SECRET URGENT

PARIS, October 8, 1948—11 p. m.

Delga 259. Gadel 147, October 7<sup>1</sup> considered by staff and entire delegation this morning and plan unanimously approved US should not participate in debate, provided committee sentiment agreed Vishinsky resolution could be most quickly and decisively rejected by "silent treatment". In addition agreed that if debate were to take place, US would probably have to participate actively.

Canvass of staff at morning plenary indicates considerable doubt whether "silent treatment" will work. British insistent on introducing their draft resolution and have been promised our support. Delegation drafting speech for possible delivery tomorrow or as soon as circumstances suggest. Speech will be propaganda vehicle attacking Soviet position and record and explaining why disarmament not feasible today.<sup>2</sup>

MARSHALL

<sup>1</sup> *Ante*. p. 450.

<sup>2</sup> The proposed text of the speech under reference was transmitted by the Delegation to the Department of State in Delga 277, October 10, 8 p. m. (received 7:14 p. m., Washington time), a thirteen page telegram, not printed. It was stated that Austin would probably deliver this address in the First Committee on October 11. (501.BC Armaments/10-1048)

The Department replied as follows in telegram Gadel 167, October 10, 9 p. m.:

"Pending review by Secretary tomorrow morning you should not deliver speech on disarmament whose text was reproduced in Delga 277 October 10, 8 p. m. Instructions follow." (501.BC Armaments/10-848)

10 Files : US(P)/A/M(Chr)/14

*Minutes of the Fourteenth Meeting of the United States Delegation to the General Assembly, Hotel d'Iéna, Paris, October 11, 1948, 9:15 a. m.*

SECRET

[Here follows a list of persons (28) present.]

As the first order of business, AMBASSADOR AUSTIN extended the congratulations of the Delegation to Mrs. Roosevelt on the occasion of her birthday.

### 1. *Developments on Atomic Energy*

MR. BLAISDELL recalled that the various proposals on Atomic Energy were now in the hands of the drafting sub-committee of Committee 1.<sup>1</sup>

<sup>1</sup> For an account of the work of the subcommittee, see its report, document A/C.1/333, in GA (III/1), *First Committee, Annexes*, pp. 16-20; see also editorial note, p. 473.



He called upon Mr. Osborn to report on the work already accomplished by this sub-committee. Mr. Osborn explained that the sub-committee had begun its work Friday.<sup>2</sup> By noon the next day he thought that Malik<sup>3</sup> (USSR) and Manuilsky (Ukraine) had talked the other members of the sub-committee into a state of mind where they wanted to vote as quickly as possible in favor of the majority plan.

He explained that the sub-committee was now discussing the Canadian draft resolution which had been somewhat modified, but which was still the agreed text of France, the United Kingdom, Canada and the United States. He thought this would require fairly lengthy consideration, particularly because the USSR would try very hard to break down the resolve on the part of the majority not to return to further negotiations in the Atomic Energy Commission. Mr. Osborn proposed that no changes be accepted, no matter how long the Committee might be deadlocked in discussion, because any further changes would weaken the present resolution.

There was also the question whether some way should be left open to the USSR to return to the Atomic Energy Commission without accepting its First and Second Reports. MRS. ROOSEVELT pointed out that, if it did not accept the two reports, the USSR would not have agreed to the principle of inspection.

MR. OSBORN indicated that both Australia and Belgium might be difficult in the final Committee discussions. Evatt (Australia) was now claiming that the United States had named the sub-committee. Ambassador Austin recalled that Mr. Protitch<sup>4</sup> of the Secretariat, had shown him a list of states, which Spaak intended to appoint to the sub-committee. After looking the list over and handing it to his advisers, he indicated that the United States had no objections. Mr. Osborn noted that Czechoslovakia had been on the original list but the Ukraine had apparently been substituted at the request of the USSR, showing that the sub-committee had been appointed after consultation with both the United States and the USSR. Ambassador Austin inquired whether Australia was simply charging that the sub-committee was subject to United States domination. Mr. Osborn said Evatt claimed that the United States had deliberately kept Australia off the sub-committee. Mr. Ross believed this misunderstanding should be corrected firmly and immediately. It was agreed that Mr. Ross should speak to Hodgson<sup>5</sup> (Australia) and explain the actual events surrounding the appointment of the sub-committee.

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<sup>2</sup> October 8.

<sup>3</sup> Jacob A. Malik, Member of the Soviet Delegation; Deputy Foreign Minister and Permanent Soviet Representative at the United Nations.

<sup>4</sup> Dragoslav Protitch, Principal Director of the Department of Security Council Affairs, United Nations Secretariat.

<sup>5</sup> William R. Hodgson, member of the Australian Delegation; Australian Ambassador in France.

MR. GROSS asked whether Australia actually had a legitimate grievance on the merits, since it had submitted a proposal, and asked whether they might not still be added to the sub-committee. Mr. Raynor noted that there were other states which had made proposals, who were not on the sub-committee, and he thought nothing more should be done than simply tell the Australians what had happened. Mr. Rusk said he believed it was important not to deny that Spaak had actually consulted with the United States; otherwise he might be put in an embarrassing position.

[Here follows discussion of the language of the Canadian draft resolution, A/C.1/308.]

## 2. *Developments on Soviet Disarmament Proposal*

MR. BLAISDELL noted that the Soviet proposal on disarmament<sup>6</sup> was now under discussion by Committee 1. There were in the Delegation documents today the Soviet resolution, a British resolution,<sup>7</sup> a draft Belgian resolution,<sup>8</sup> and a Syrian amendment<sup>9</sup> to the Soviet proposal. Mr. Johnson commented that the Committee's consideration of this item had begun by what was perhaps Vyshinsky's most bitter attack on the United States.<sup>10</sup> There had been two speeches by the United Kingdom, several strong speeches by the Soviet bloc, and Syria and the Netherlands had also spoken. It was planned that the British would introduce their proposal today, which they had been informed the United States will support. The United States had prepared and was planning to make a strong speech, but instructions had been received from the Department asking that its presentation be postponed pending its consideration by the Secretary.<sup>11</sup> Mr. Raynor said the British had been informed that we were not ready to speak at this

<sup>6</sup> For text, see telegram Delga 117, September 25, p. 431.

<sup>7</sup> The British draft resolution, A/C.1/319, October 10, expressed concern at the lack of progress achieved by the United Nations Atomic Energy Commission, the Commission for Conventional Armaments, and the Military Staff Committee. The resolution attributed this failure to the refusal of certain members "to accommodate themselves to the views of the majority and to co-operate or indeed to participate fully in the work of the Organization in the political field," thus contributing to the existing world-wide sense of insecurity. The resolution concluded by urging "all nations, and particularly those constituting the minority in the Commission for Conventional Armaments, to co-operate to the utmost of their power" in the attainment of the objectives of the UNAEC, the CCA, and the MSC. For text, see (III/1), *First Committee, Annexes*, pp. 8-9.

<sup>8</sup> The Belgian draft resolution, A/C.1/323, proposed in the form of an amendment to the British draft resolution, is printed in GA (III/1), *First Committee, Annexes*, p. 11.

<sup>9</sup> The Syrian draft resolution, A/C.1/318, October 9, recommended to the Security Council that it continue its study of regulation and reduction of armaments through the Commission for Conventional Armaments; for text, see *ibid.*, p. 8.

<sup>10</sup> For the record of the remarks by Vyshinsky at the 153rd Meeting of the First Committee, October 7, 3 p. m., see GA (III/1), *First Committee*, pp. 96-101.

<sup>11</sup> Reference is to telegram Gadel 167, October 10, the text of which is printed in footnote 2, p. 459.



time and had agreed that the strategy was to play for additional time. Ambassador Austin indicated that Vyshinsky might himself ask for more time after the British resolution was introduced in order to study that proposal. Mr. Popper<sup>12</sup> noted that Luxembourg was listed to speak this morning. Ambassador Austin noted that Haiti wished to speak and had a resolution to propose.

Mr. Ross thought the situation might be eased if the sub-committee on atomic energy completed its work today so that its report could come before Committee 1 Tuesday. Mr. Osborn said the chairman of the sub-committee had expressed a willingness to hold night meetings, and he was optimistic that the sub-committee might finish at least by this evening.

AMBASSADOR AUSTIN asked for the views of the Delegation on the substance of the position taken in the United Kingdom resolution. Mr. Blaisdell pointed out that it had been carefully examined by the staff and already approved by the Delegation. Moreover, the British had been informed of our approval. It also appeared likely that the United States could support the Syrian resolution. Ambassador Austin stated the agreement of the Delegation that it would support the British and Syrian drafts but would withhold comment until further instructions were received from Washington.

Mr. Gross referred to the language in the penultimate paragraph of the British draft resolution, "in particular the principle that such regulation and reduction can only be put into effect in an atmosphere of international confidence and security". In his opinion this language implied a relation between the existence of armaments and the general political atmosphere. Ambassador Austin explained that the phrase was intended to refer to the completion of certain preliminary conditions, including the peace treaties, the establishment of a system of control of atomic energy, organization of the Article 43 forces, and agreement by the USSR to a system of international inspection. Mr. Blaisdell noted that the idea could be traced back to the debates on this matter in the Security Council and the Commission for Conventional Armaments.

MR. DULLES noted that there were two theories on disarmament. The first was to the effect that there must be established an atmosphere of international confidence before disarmament could be undertaken, while the second suggested that the presence of armaments themselves created a lack of international confidence. In his opinion the correct theory was probably a combination of both ideas. Certainly the competitive arms race was a problem. He noted that there were large bodies of public opinion in the United States which would consider

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<sup>12</sup> David H. Popper, Adviser, United States Delegation.



this expression a one-sided view. He pointed out that the resolution on atomic energy was utterly irreconcilable with the British draft in this regard. Each took an opposite thesis and overstated it.

[Here follows additional discussion of the language of the British draft resolution, A/C.1/319.]

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IO Files : US (P) / A/C.1/102

*Memorandum of Conversation, by Mr. G. Hayden Raynor, Adviser,  
United States Delegation to the United Nations General Assembly*

SECRET

[PARIS,] October 11, 1948.

Subject: Disarmament

Participants: Members of the United Kingdom and Canadian  
Delegations

Captain Smith, Mr. Hayden Raynor, and Mr. Howard  
Johnson, of the United States Delegation

*United Kingdom*

At our request Messrs. Jebb and Allen, of the United Kingdom Delegation, called at the Crillon<sup>1</sup> at 11 o'clock Sunday morning<sup>2</sup> to discuss this question. We explained the situation in the Committee as we saw it. We said we were prepared to make a very strong statement, a part of which we reviewed with them, and that we felt the best possible time to make it would be after Vyshinsky replies to McNeil and Shawcross.<sup>3</sup> We said, however, that we wanted to have some counter resolution on the table which we could speak for, as well as speaking for the demolition of the Vyshinsky proposal. We said, therefore, we must know what the British intend to do with their resolution.<sup>4</sup> We reaffirmed our informal promise to support it, but said we were not certain it was good enough. We said that, in addition to supporting the British resolution, we would also favor supporting something along the line of the Syrian resolution,<sup>5</sup> perhaps after it was merged with the British proposal. We made it clear that supporting continuation of the work of the Conventional Armaments Commission was United States Government policy.

The British took the view that, although they realize this is our policy, pursuing it would weaken our position for suspension of the

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<sup>1</sup> The Crillon was one of several residence hotels of the United States Delegation and staff.

<sup>2</sup> October 10.

<sup>3</sup> Sir Hartley Shawcross, member of the British Delegation; Attorney General of the United Kingdom.

<sup>4</sup> For information on the British draft resolution, see footnote 7, p. 461.

<sup>5</sup> For information on the Syrian draft resolution on disarmament, A/C.1/318, see footnote 9, p. 461.

work of the Atomic Energy Commission. We took the view that, on the other hand, it might well have the opposite effect. We said that it was a pretty big dose of medicine for the Assembly to agree to suspend either, and if there was agreement on the Conventional Armaments Commission, there might be some likelihood for the New Zealand consultation proposal on atomic energy<sup>6</sup> to succeed. Incidentally the British, while they have not given up hope, are doubtful that the New Zealand proposal will succeed.

During the conversation we stated that we were worried about the emphasis in Shawcross' speech on a census and verification of armaments, as we had been in 1946. We said we were quite concerned over the Belgian resolution for the same reason. Captain Smith explained our reasons in this respect in some detail.

We also pointed out clearly to the British Representatives present that we did not think the present British resolution was in any too salable a form, and that we felt something like the Syrian resolution would need to be merged with it in order to make it salable. In this connection, we showed them our shortform resolution,<sup>7</sup> which we said might be more readily acceptable to the Assembly than their resolution. We asked them to consider our resolution from this angle. We made it clear, however, that if after consideration they still desired to table their own resolution, it would have our support. We pointed out that there had to be something on the table and that we would have to know by nightfall whether the British were tabling theirs, because if they did not, when we spoke we would probably table ours, or at a minimum,

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<sup>6</sup> For text, see footnote 3, p. 454.

<sup>7</sup> Reference is presumably to draft resolution US(P)/A/C.1/68, October 6, which read as follows:

THE GENERAL ASSEMBLY considering that it is of urgent importance that the peoples of the world should be relieved of the burden of competitive armaments,

ENDORSES the General Principles considered by the majority of the Commission for Conventional Armaments as necessary to the regulation and reduction of armaments and armed forces, in particular the principle that such a system must include an adequate system of safeguards,

RECOGNIZES that the establishment of such safeguards would bring about in every country an opening up of its territory to effective international inspection in this field.

CALLS UPON all members of the Commission for Conventional Armaments to accept the principles set forth above, and to proceed with the formulation of plans based upon such principles.

The United States Delegation had also prepared an alternative draft of greater length, US(P)/A/C.1/67, October 6, the operative portion of which read as follows: "[The General Assembly] calls upon the members of the Security Council, and particularly those constituting the minority, to accept as a basis for further negotiations the principle of safeguards endorsed by the majority of the Commission for Conventional Armaments which will provide such an openness of information between nations in this field as will create conditions of confidence necessary to establish practical steps towards the reduction of armaments."

Neither draft resolution was ever submitted. For the proposal introduced by the United States in Subcommittee 12 of the First Committee, A/C.1/SC.12/1, October 21, see p. 492.

announce support for the Syrian proposal. The British promised to let us know after discussing the question with Messrs. Shawcross and Cadogan.

Early in the evening the British informed us they had decided to table their resolution and that it would be before the Committee this morning.

Following the receipt of a telegram from Washington this morning,<sup>8</sup> I sent a message to Jebb, telling him we were forced to be silent today. He took this information with good grace but did say he hoped this did not mean we would not be able to support the British resolution which they were tabling. I also informed him we couldn't tell until the new situation was clarified during the day.

Mr. Jebb immediately suggested that the strategy, in the light of this new development, should be today to stall for time. He said Sir Hartley Shawcross would undoubtedly, in the light of the new situation, take such a line when he spoke. It was also indicated that if Vyshinsky comes into the Debate today, Sir Hartley might also speak again in rebuttal (which would be the third rebuttal speech by the British as contrasted with none on our part.)

#### *Canada*

During the day we kept Mr. Riddell<sup>9</sup> informed of developments, and around five thirty called at the Canadian Delegation and went over the several resolutions with them. They are in general agreement with our position, and do not like the British resolution too well but will be prepared to support it. They think that, after it goes to the subcommittee, there will be ample opportunity to improve it.

HAYDEN RAYNOR

<sup>8</sup> Reference is to telegram Gadel 167, the text of which appears in footnote 2, p. 459.

<sup>9</sup> R. G. Riddell, Alternate Member of the Canadian Delegation; Head of the United Nations Division of the Canadian Ministry of External Affairs.

501.BC Armaments/10-1148: Telegram

*The United States Representative at the United Nations (Austin) to the Secretary of State*

SECRET NIACT  
PRIORITY

PARIS, October 11, 1948—1 p. m.

Delga 273. Personal to Lovett from Rusk. Reference Gadel 147<sup>1</sup> and 167.<sup>2</sup> USDel has made every effort to obtain postponement at least 24 hours any action by Committee 1 on disarmament and will

<sup>1</sup> *Ante*, p. 450.

<sup>2</sup> For text, see footnote 2, p. 459.



make no speech thereon without instructions. Hope to succeed. Department should bear in mind, however, that we cannot control parliamentary situation, that few governments wish to speak on this subject, and that great confusion will arise from apparent lack of harmony among US, UK and other leading members CCA. Inability of USDel to take firm stand on matter which has been under consideration for 2 years will be difficult for others to understand.<sup>3</sup>

Delegation has had no intimation since Gadel 147 of October 7 what possible lines Department might have in view for "more affirmative response to Soviet proposals". In absence such lead, delegation has been compelled in informal contacts to proceed along lines long-standing US policy taken in CCA and elsewhere. If Department is considering major change in such policy, it must be recalled that we have been working with considerable number other delegations during past year and major shift at this late hour which has not been carefully concerted would create considerable confusion and resentment. Further, splintering of western powers would play directly into Soviet hands on issue selected by Soviets as their principal propaganda effort this Assembly. [Rusk.]

AUSTIN

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<sup>3</sup> The file copy bears the following marginal comment by Robert M. McClintock, Special Assistant to the Director of the Office of United Nations Affairs:

"Mr. Rusk [was] telephoned at 9:35 a. m., Oct. 11 and told to go ahead with speech. Telegram sent 11:10 a. m. giving Secretary's suggestions." The telegram, Gadel 168, is printed *infra*.

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501.BC Armaments/10-1048: Telegram

*The Acting Secretary of State to the United States Representative at the United Nations (Austin), in Paris*

SECRET URGENT

WASHINGTON, October 11, 1948—11 a. m.

Gadel 168. On reviewing text of speech contained Delga 277, Oct. 10,<sup>1</sup> we have overall impression that it is unduly negative in its approach to Soviet disarmament proposals. If it is possible suggest that speech end on more constructive tone. Ambassador Austin might say for example that this Govt would be glad to consider sympathetically any bonafide disarmament proposal from any quarter. We must however be assured that such proposals are honest and that they will be safeguarded by appropriate guarantees to ensure scrupulous compliance.

This telegram does not cancel authorization to deliver speech as contained Delga 277 which was telephoned to Rusk at 9:35 a. m., EST.

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<sup>1</sup> For information regarding Delga 277, see footnote 2, p. 459.

We hope however this suggestion will arrive in time to permit some modification in tone of speech.<sup>2</sup>

LOVETT

<sup>2</sup>The speech under reference was delivered by Senator Austin at the 157th Meeting of the First Committee, October 12, 10:30 a. m. His remarks are recorded in GA (III/1), *First Committee*, pp. 131-134. For the verbatim text, see Department of State *Bulletin*, October 24, 1948, pp. 511-516.

The text of the address actually presented was essentially that contained in Delga 277, although certain changes were made prior to delivery. The Department of State was notified of these modifications in Delga 292, October 11, and Delga 296, October 12, neither printed. Among the changes noted in Delga 292 was the deletion of the last sentence of the version of the speech transmitted in Delga 277 which had read as follows: "I call upon the Soviet Union to give us some probative evidence of its sincerity and desire to cooperate with us openly, to give life and meaning to the purpose and principles of the United Nations Charter, to which we have all subscribed." (501.BC Armaments/10-1048) Senator Austin instead stated the following in conclusion:

"Before closing, I wish to state that the Delegation of the United States has considered carefully and will vote for the resolutions which have been submitted to this committee by the Delegations of the United Kingdom and Syria [A/C.1/319 and A/C.1/318]. Taken together these resolutions are entirely consistent with the position of the United States. Article 26 of the Charter provides: 'That— . . . the Security Council shall be responsible for formulating . . . plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.'

"Despite the fact that the work of this Commission [the Commission for Conventional Armaments] has continued to be hampered by the demagogic appeals and irresponsible propaganda of the Soviet Union, the United States believes that the commission must proceed with its work."

IO Files: US(P)/A/M(Chr)/15

*Minutes of the Fifteenth Meeting of the United States Delegation to the General Assembly, Hotel d'Iéna, Paris, October 14, 1948*

SECRET

[Here follow a list of persons (32) present and discussion of various subjects.]

### 3. *Review of Developments and Trends in Committees*

#### A) COMMITTEE 1

Turning first to atomic energy, Mr. Osborn explained that a sub-committee, constituted to consider the various proposals submitted in the course of the general debate on atomic energy in Committee 1, had met for five days and found no compromise possible. It had agreed to submit three different resolutions to the main Committee. The first was the Canadian resolution, which followed the position of the US in every detail. The second was a resolution submitted by India, which actually combined the Syrian and Australian proposals,



which Indian resolution was unacceptable to the US. The third was the Soviet resolution.<sup>1</sup>

In his view, the most important aspect of the work of the sub-committee was the discovery that, although it had originally been thought that the USSR had actually offered a compromise in the field of the control of atomic energy, it had turned out to be a shrewd maneuver which would have meant that the Atomic Energy Commission would return to work under two conditions: (1) the US would have to agree to the simultaneous conclusion of two conventions, one on prohibition and one on control of atomic energy; and (2) the Atomic Energy Commission would resume work on the basis of the Soviet interpretation of the January 24, 1946 Assembly resolution. This latter point meant to the USSR that the idea of stages which had been included by the Assembly in that resolution was simply set forth as a method of study for the Atomic Energy Commission and not, as the US interpreted the resolution, as a stage-by-stage transition to a system of control. Mr. Osborn explained that the Soviet position would mean that the US would have to destroy its atomic weapons and that then there would be a period of from six months to a year during which the actual system would be set up, at the end of which time the USSR might indicate its disagreement with the entire system. In other words, in his view, the Soviet proposal was nothing more than a move which would force the US to cease negotiations on atomic energy, since the US offer to give up its atomic weapons was based on the establishment of an effective, enforceable control system. The Soviet position would have called for a resolution to the contrary effect by the General Assembly. He believed it was important to maintain a firm uncompromising position on this matter in line with the Canadian resolution.

Mr. Blaisdell explained that the other subject which had been considered by Committee 1 was the Soviet proposal on disarmament. The general debate had been concluded at noon yesterday, and a sub-committee had been established to work over the various resolutions which had been submitted to the Committee.<sup>2</sup> This meant that Committee 1 would take up Palestine on Friday.

[Here follows discussion of other subjects.]

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<sup>1</sup> For information regarding the work of the subcommittee and the proposals under its consideration, see editorial note, p. 473.

<sup>2</sup> Reference is to Subcommittee 12, established by the First Committee at its 160th Meeting, October 13, for the purpose of examining the various proposed draft resolutions on disarmament before the First Committee and recommending an appropriate text to the Committee. Subcommittee 12 discussed procedure at its 1st Meeting, October 14 and considered the Soviet proposal, A/658 (for text, see telegram Delga 117, September 25, p. 431), at its 2nd, 3rd, 4th, and 5th Meetings, October 15, 16, and 21. The summary records of the meetings of the subcommittee are not published, but for its terms of reference, membership, and an account of its work, see its report to the First Committee, document A/C.1/356/Rev. 1, November 2, GA (III/1), *First Committee, Annexes*, pp. 34-39.



IO Files : US(P)/A/C.1/127/Rev.

*United States Delegation Memorandum of Conversations*

CONFIDENTIAL

[PARIS,] October 14, 1948.

Subject: Belgian Proposal for Census and Verification of Conventional Armaments.<sup>1</sup>

Participants: (a) Mr. Langenhove, Belgian Delegation  
 Capt. Page Smith, United States Delegation  
 Mr. Ridgway B. Knight, United States Delegation

(b) Mr. Parodi, French Delegation  
 Capt. Page Smith, United States Delegation  
 Mr. Ridgway B. Knight, United States Delegation

## SUMMARY

Efforts were made to convince both Messrs. Langenhove and Parodi that any system of census of armed forces with verification should not be adopted at the present time by Committee I and by the General

<sup>1</sup> The proposal under reference was introduced in Subcommittee 12 as document A/C.1/SC.12/2, October 23, consisting of an amendment to French draft resolution A/C.1/325, October 13. The operative part of the latter draft read as follows:

"The General Assembly recommends the Security Council

(1) To establish a control system on the following bases:

(a) The setting up of an organ for the control of conventional armaments endowed with appropriate powers,

(b) The transmission by States to the control organ at periodic intervals of declarations of their effectives and their conventional armaments,

(c) The control of such declarations by the organ so set up, by means of checking items on the spot,

(d) The publication by the Secretary-General of the United Nations of the declarations received;

(2) To promote a general limitation of armaments by a progressive and balanced reduction of effectives and of conventional armaments;

(3) To report to the General Assembly no later than its next regular session on the effect given to the present recommendation with a view to enabling it to continue its activity with regard to disarmament, in accordance with the purposes and principles defined by the Charter." For full text, see GA (III/1), *First Committee, Annexes*, pp. 12-13.

The Belgian amendment, A/C.1/SC.12/2, read in its operative part as follows:

"[The General Assembly] recommends the Security Council to pursue the study of regulation and reduction of conventional armaments and armed forces through the agency of the Commission for Conventional Armaments in order to obtain concrete results in implementing Article 26 of the Charter as soon as the improvement in international atmosphere permits;

Trusts that the Commission for Conventional Armaments, in carrying out its programme, will devote its main attention to formulating proposals for the receipt, checking and publication, by an international organ of control endowed with universally accepted powers, of full information to be supplied by Member States with regard to their effectives and their conventional armaments;

Invites the Security Council to report to it no later than its next regular session on the effect given to the present recommendation with a view to enabling it to continue its activity with regard to the regulation of armaments in accordance with the purposes and principles defined by the Charter."

For full text, as subsequently amended and ultimately approved by the General Assembly, see p. 503.

Assembly. Detailed argumentation was used with Mr. Langenhove. The conversation with Mr. Parodi on the other hand took place just before the start of the Committee I session and in view of the lack of time it was only possible to stress our position in general terms.

#### DETAILS

The arguments used with Mr. Langenhove follow:

(1) It is obviously impossible to arrive at national quotas before the question of atomic energy control is settled. It was also pointed out that any census of troops and its verification constitute substantive steps which should fall within the purview of the CCA, and that such steps can only be taken under improved general conditions which would require settlement of the atomic energy problem and signing of the peace treaties, among other things.

(2) Census at the present time would be meaningless, as new and perhaps unrelated quotas would have to be set for the security of the various nations in the eventual proposals formulated by the CCA. Present strengths in some cases would have to be reduced while others might have to be increased.

(3) Any attempt at present to verify census figures furnished by the USSR would certainly be opposed and would result in increased friction and propaganda battles with the Soviets.

(4) Any figures supplied by the Soviets at present and which would not be verified would surely be false and misleading. They would provide no worthwhile basis for the study and establishment of a permanent quota.

(5) The Committee for Conventional Armaments is now attempting to do on a broader scale just what the Belgian suggestion proposed to do in part.

(6) If the Belgian suggestion be advanced as a propaganda move, it will back-fire, because the Soviets will demand census and verification of atomic armaments—and reiterate their contentions as to the inseparability of solution of the atomic and conventional arms problems.

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IO Files: A/C.1/SC.12/SR

*Summary Record of the Second Meeting of Subcommittee 12 of the First Committee, Palais de Chaillot, Paris, October 15, 1948, 10:30 a. m.*

[Extract]

#### 2. Discussion of the USSR draft resolution (document A/658)<sup>1</sup>

MR. MALIK (Union of Soviet Socialist Republics), speaking on the substance of his draft resolution, noted that the USSR's views on the

<sup>1</sup> For text, see telegram Delga 117, September 25, p. 431.



matter of disarmament and the prohibition of atomic weapons had been repeatedly stated. It had been given in detail by Mr. Vyshinsky both in the plenary meetings of the General Assembly and in the Political Committee.

In proposing its draft resolution the USSR had taken as its starting point the situation created by the General Assembly resolutions of 24 January and 14 December 1946, which had not yet been implemented. The USSR delegation had repeatedly stated his views as to the reasons why those resolutions had not been carried out. Not only had the Commission for Conventional Armaments taken no practical steps towards proposing practical measures for the regulation and reduction of armaments and armed forces but it had adopted a joint United States and United Kingdom resolution<sup>2</sup> which was interpreted by public opinion both in the United States and throughout the world as meaning that the idea of disarmament had been practically buried by the United Nations. In fact, two days after that resolution had been passed stating that no disarmament was possible until a series of prerequisites had been fulfilled, the United States Cable Bureau [*sic*] had announced that the United Nations had, in effect, failed in its three year old efforts to attain world disarmament. The USSR draft resolution took that fact as its point of departure in noting that practically nothing had been done to influence the General Assembly resolutions. The second point of the USSR draft resolution aimed at pointing out that the prohibition of the production and use of atomic energy for war is of the first importance. Thereafter, it noted that a general reduction of armaments would assist in establishing a durable peace, would strengthen international security and was in the interests of nations which sought to ease the heavy economic burden resulting from ever-increasing expenditure on armaments.

The draft resolution based itself on concrete reality in making the practical proposal that the five Great Powers, the permanent members of the Security Council, which bore the main responsibility for the maintenance of peace and international security and which possessed an overwhelming share of the armaments of the world, should take a first step of agreeing to reduce their existing land, naval and air forces by one third within a period of a year.

The second important step proposed was based upon the fact that no real reduction of armaments was possible without the prohibition of atomic weapons. The USSR delegation therefore proposed that atomic weapons be prohibited as weapons capable only of being used for aggression and not for defence.

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<sup>2</sup> Reference is presumably to the resolution on Item 2 of the CCA Plan of Work (Principles) adopted by the CCA on July 26; for text, see GA (IV), *Suppl. No. 2*, p. 71, or Department of State *Bulletin*, August 29, 1948, pp. 267-268.



The third point of the draft resolution was the establishment, within the framework of the Security Council, of an international control organ to supervise the carrying out of the measures proposed. These essential points were submitted for definite decision by the Sub-Committee.

Mr. OSBORN (United States) examined the draft resolution paragraph by paragraph.

The first paragraph was unacceptable because a majority of nine members in both the Atomic Energy Commission and the Commission for Conventional Armaments considered the statement incorrect. The plan and proposals developed by the Atomic Energy Commission and now before the General Assembly constituted one of the finest pieces of treaty drafting accomplished in the United Nations. Sub-Committee 11 [111] had already agreed that the proposals were very important and should be voted upon. No concrete accomplishments could be recorded because two representatives had refused to accept any of the principles deemed necessary by the majority.

The Commission for Conventional Armaments also had worked very hard. Nine members had agreed upon the general principles which should govern the regulation and reduction of armaments and armed forces but those principles had been rejected in toto by two members. Mr. Osborn emphasized particularly the rejection by the USSR of the principle of safeguards and its refusal to recognize that the conditions of world security had anything to do with disarmament. Consequently the first paragraph of the USSR draft resolution was without foundation.

The second paragraph might be dismissed for a great number of reasons but the simplest reason was that the question of the prohibition and control of atomic energy was being dealt with by another organ of the United Nations.

The third paragraph would be acceptable only if it provided for a guarantee that no nation was arming in secret behind an "iron curtain".

The next two paragraphs were not of particular importance but Mr. Osborn thought that the second of the two should specifically name the expansionists and reactionary elements referred to. It should state what nations had, after the end of the war, seized territory which had never belonged to them. The question would then be whether a reactionary government was one responsible to the people who elected them or one run by an iron military dictatorship.

The sixth paragraph, Mr. Osborn found astonishing. He recalled that the USSR representative had objected bitterly to the first paragraph of the resolution adopted by the Commission for Conventional Armaments stating that any system for the regulation and reduction

of armaments and armed forces must initially include all States having "substantial military resources". The USSR representative had opposed that principle as somehow a trick. Yet he now proposed to limit disarmament to the permanent members of the Security Council. Mr. Osborn could not accept the paragraph until the USSR representative had withdrawn his earlier statement of views to the Commission for Conventional Armaments or explained his change of views. Mr. Osborn could not take seriously, and almost every speaker in the Political Committee had taken the same view, a proposal for arms reduction made by a country which closed its frontiers to any possibility of control or verification. Had it been accompanied by a scheme for continuing verification he could have view[ed] it as made in good faith, though still looking on it as mistaken in method. Unless so accompanied, however, it had no meaning. The penultimate paragraph dealing with atomic energy had no place in the resolution.

Turning to the final paragraph Mr. Osborn stated that it provided for a body to perform the same function in planning for a control body as had been entrusted to the Commission for Conventional Armaments. That Commission, after serious study, had produced a short list of general principles which had been rejected by the USSR.

He asked the representative of the USSR whether his Government would demonstrate its willingness to abandon its expansionist drive by withdrawing its fifth column from other States. Would it give up its veto over verification, inspection, and control. Was it prepared to open its frontiers so that the peoples of other nations might know what was going on and be relieved of the fear that activities behind the "iron curtain" made it necessary for them to arm? Mr. Osborn believed that every paragraph of the USSR draft resolution was intentionally framed to confuse the public mind and hide the fact that the USSR did not want others to know what armaments it was producing. He asked whether it was not a piece of effrontery for such a proposal as he had described to be submitted by a dictatorship, the most reactionary government in the world to-day, such as Generalissimo Stalin himself had described as "unlimited power resting upon violence and not upon law".

#### *Editorial Note*

The First Committee, at its 153rd Meeting, October 7, established Subcommittee A.III to consider proposals on atomic energy before the Committee and to reach agreement on a draft resolution for sub-



mission to the Committee. Subcommittee A.III formally approved its report, A/C.1/333, on October 15; for text, see GA (III/1), *First Committee, Annexes*, pages 16-20. The summary records of the Subcommittee, documents A/C.1/A.III/SR 1-8, are not published.

The Subcommittee Report contained the texts of the three resolutions upon which votes were taken. Canadian resolution A/C.1/A.III/1/Rev. 3 received eight affirmative votes (Brazil, Canada, China, Ecuador, France, Sweden, the United Kingdom, and the United States); there were two votes against (the Soviet Union and the Ukraine) and one abstention (India). This draft resolution consisted of the original Canadian text (A/C.1/308) modified by substantive suggestions by New Zealand, France, and Ecuador and amended by Canada itself. It provided for General Assembly approval of the recommendations and findings of the First Report of the UNAEC and the specific proposals of the Second Report, expressed concern regarding the impasse noted in the Third Report, and requested the six permanent members of the UNAEC to consult in order to determine whether there existed a basis for the resumption of the activities of the Commission.

The Soviet draft resolution, A/C.1/310 (for text, see footnote 1, page 445), received two affirmative votes in the Subcommittee (the Soviet Union and the Ukraine), and seven negative votes (Brazil, Canada, China, France, Sweden, the United Kingdom, and the United States). India and Ecuador abstained.

An Indian resolution, A/C.1/A.III/4/Rev. 2, approved the findings, recommendations, and specific proposals of the first two reports of the UNAEC. However, unlike the Canadian resolution, it called upon the Commission to resume its work. A/C.1/A.III/4/Rev. 2 received the vote of its sponsor; four votes were cast against it (Canada, Brazil, Sweden, and the United States). There were six abstentions (China, Ecuador, France, the Ukraine, the Soviet Union, and the United Kingdom).

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IO Files: US(P)/A/M(Chr)/17

*Minutes of the Seventeenth Meeting of the United States Delegation to the General Assembly, Hotel d'Iéna, Paris, October 18, 1948, 9:15 a. m.*

SECRET

[Here follows a list of persons (28) present.]

1. *Atomic Energy*

MR. OSBORN explained that the next two days would be crucial ones as regarded action on atomic energy. During this period, Committee



1 would have to vote on the Soviet resolution, the Canadian resolution (which was completely consistent with US policy), and the Indian resolution.<sup>1</sup> He noted that a substantial majority of the Members favored consultation among the sponsoring powers on atomic energy, though there was some question in his own mind as to whether a two-thirds majority was agreed on this point. He had found that the most useful and convincing argument in support of the US position for consultation was to the effect that, until the basic problem of what the Soviets really desire, and what their security requirements are, is solved, it will be quite impossible to solve any individual problems arising between the USSR and the United States. The Canadian resolution asked the sponsoring Powers to consult as to the factors in this situation which had brought about the present impasse. This question afforded, he felt, an opportunity for natural discussion. In his view this sort of broad consultation was the only kind which might accomplish results. Ambassador Austin called attention to the interpretation given by General McNaughton of the phrase "higher level" in connection with the consultations. Such consultation appeared to mean Foreign Ministers although he noted that the resolution, since it requested a report back to the United Nations, indicated that such consultation should go on within the framework of the United Nations. Mr. Dulles asked whether the Canadian resolution would exclude consultation on less than the "higher level." Mr. Osborn explained that it would not prevent informal conversations with the U.S.S.R. but these would not be official since the resolution required consultation with all six sponsoring powers. Mr. Dulles expressed some doubt as to whether such talks on a six-power basis would be effective.

## 2. *Disarmament*

MR. OSBORN explained that the Assembly had before it the Soviet proposal<sup>2</sup> (which the United States opposed) and a substitute British resolution<sup>3</sup> (which the United States favored). In addition, there were unacceptable French and Belgian amendments to the Soviet proposal.<sup>4</sup> He said that the French and Belgian Delegations had announced that they could not vote against the Soviet resolution and were instead trying to kill that proposal by submitting amendments which would be unacceptable to the USSR. He did not believe the United States should view these proposals in such a petty way and recommended that it should make clear its opposition to the Soviet proposal by voting against it. He recognized, however, that the French domestic situa-

<sup>1</sup> The resolutions under reference are identified in editorial note, *supra*.

<sup>2</sup> For text, see telegram 117, September 25, p. 431.

<sup>3</sup> For information on the British resolution, A/C.1/319, see footnote 7, p. 461.

<sup>4</sup> Reference is to French draft resolution A/C.1/325 and Belgian amendment thereto A/C.1/SC.12/2 which are described and quoted in footnote 1, p. 469.

tion made the French position very difficult <sup>5</sup> and noted that for somewhat related reasons it might also be necessary for the United Kingdom to abstain on the vote on the Soviet resolution. He thought it was desirable to put the question of this approach directly before the Delegation.

Mr. Ross asked why the United Kingdom would abstain. Mr. Osborn explained that presumably because of British public opinion, the British representative was recommending that the British resolution itself be submitted as an amendment to the Soviet proposal. Mr. Ross commented that he understood that Mr. Bevin felt very strongly that it was essential not "to kid people along" on disarmament. If this were true, a British abstention would not be in line. Ambassador Austin noted that the British position, like our own, was tied to the establishment of an effective control system for atomic energy and conventional armaments, and the organization of Article 43 Forces. He pointed out, however, that the British, along with many other Delegations were somewhat upset when they learned that the United States would not join in an amendment to the Soviet resolution.

Mr. DULLES said it seemed to him that the international situation was such that it would be very dangerous to keep alive the belief that there could be any reduction of armaments. The practical situation should be remembered. In the present political situation the one thing which most of these countries wished and which made them feel safe was armaments. The Soviet Union had so frightened people all over the world that the only reassuring policy was an increase in their armaments. He thought that to keep alive the idea that there could be anything constructive done on disarmament at this time was simply playing the Soviet game. Mr. Ross agreed and said he understood that the basis for Mr. Bevin's position was his profound conviction that the United Kingdom must rearm. Mr. Osborn pointed out that the United Kingdom and the United States both felt that there could be no disarmament without basic agreement on various political issues.

Mrs. ROOSEVELT did not think that it was possible to get this idea across to the people. In her opinion it was foolish to believe that the people, either in the United Kingdom, the United States, or any other country, are not affected by a suggestion for disarmament. She pointed out that unless they could be made to understand the willingness of the United States to disarm under certain conditions, there would be tremendous opposition to the present United States position. She commented that she had already received resolutions adopted by women's groups and church groups supporting a reduction in armaments. She thought this program must be clarified for the people in very sim-

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<sup>5</sup> For documentation on the French internal situation, see vol. III, pp. 592 ff.



ple terms because on the surface it looked as if the United States wanted to keep countries armed and was refusing every conciliatory gesture. The United States position was clear to her, but it was evident from her correspondence that it was not understood by most people.

AMBASSADOR AUSTIN pointed out that the United States had tried to work out a common approach with the British immediately after Vishinsky proposed this item for the agenda. We had tried to urge an approach which would treat Vishinsky's speech as a dud by refusing to debate it and simply letting it be voted down. Ambassador Austin said he had talked with Messrs. McNeil and Jebb of the United Kingdom Delegation who disagreed entirely, arguing it was necessary to introduce a counter resolution. Since the other Great Powers took a similar position, the United States could do nothing alone. He said various Latin American Delegates however, had come to him personally and indicated that they would have supported a course of no discussion and no action on the Vishinsky proposal. The ensuing debate in Committee 1 had simply confused the Members. The United States had submitted no resolution and no amendments, and was simply going to support the United Kingdom proposal.

AMBASSADOR CORRIGAN wondered if it might not be a good idea, at least from a propaganda point of view, for the United States simply to propose a 50 percent reduction of armaments since it was certain that that would never be accepted. It was noted that this was the same argument as that of the French whose particular domestic political problems it reflected accurately. The United States certainly had no similar reasons for this approach. Mrs. Roosevelt commented that the menace of the Communist Party in such states as France was responsible for this equivocal position. Mr. Dulles pointed out that the Communists were saying that they would not fight if these states were invaded by the Red Army, and since the domestic Communists would be put in power by a Soviet invasion, the present leaders were interested in providing future protection for themselves in the event of a Communist coup. Actually, this approach played directly into the hands of the Communists.

MR. COHEN said he believed that what was lacking was an affirmative proposal which met some of the more real issues of the times so that the United States would not seem to be opposing something, the very distant, long-run objectives of which it favored. He said he did not know whether it was too late to prepare a resolution deploring the bi-polar nature of power in the world, recognizing the desirability of greater interdependence and getting agreement on the Western European Union and European Recovery Program all of which would lead to progressive disarmament and peace. He believed that so long as this



Government was on the defensive it would suffer great difficulties because no matter how it was dealt with, there was such wide favor for disarmament as an ideal. He was doubtful whether anything constructive was done simply by rejecting amendments.

MR. RUSK said that the United States position on disarmament had been based upon several related ideas. First, the Security Council had the primary responsibility in the field of disarmament—not the General Assembly. Second, the United States should not favor discontinuing the Commission for Conventional Armaments, and thus appear to close the door to agreement. Third, it was felt that the Commission on Conventional Armaments could continue to do useful work, particularly, study the problem of safeguards in the field of conventional armaments, as the Atomic Energy Commission had done for atomic energy. It was obviously undesirable to suspend the work of the Commission.

MR. OSBORN, replying to Mr. Cohen's remarks, said that he had tried to draft a resolution along the lines suggested by Mr. Cohen which would make the basic issues clear and put the Soviet intransigent position in proper perspective. Because this idea had not obtained much support, the United States had dropped back to the United Kingdom resolution even though it lacked desired simplicity. Ambassador Austin read the British resolution for the information of the Delegation. Asked by Mr. Dulles whether it was supported by the other Great Powers, Mr. Osborn said it was supported only by the United Kingdom and Canada. He noted that it obviously lacked appeal and simplicity. Mr. Cohen said he thought the resolution did little more than blame the Soviet Union for the present situation. Mr. Dulles thought the resolution had intrinsic merit but considerable background was required for anyone to understand what it meant. Mr. Osborn believed the text reflected the fact that this subject had been handled at too low a level in the United Kingdom. Mr. Cohen pointed out that this was such a short summary of the situation that it would not have any appeal comparable to that of the Vyshinsky proposal. Mr. Rusk suggested it might be desirable to attach to the British resolution, as an annex, the CCA agreed statement of principles.<sup>6</sup> Mr. Cohen thought it was important to find some way of dramatizing the resolution. Mrs. Roosevelt said she could not help feeling that the United States should make a dramatic speech in favor of disarmament which would show that the Soviet offer to disarm, however, meant nothing unless it was implemented by certain definite things, and indicating that the USSR has not been willing to take even the first step preliminary to agreement

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<sup>6</sup> For text, see GA (IV), *Suppl. No. 2*, or *Department of State Bulletin*, August 29, 1948, pp. 267-268.

on disarmament. The British resolution was a statement of the facts and was understandable only if one knew everything that had gone before. Mr. Rusk suggested that it might be appropriate to ask Mr. Cohen to draft some additional clauses which the United States could suggest to the British for inclusion in their resolution.

MRS. ROOSEVELT called the attention of the Delegation to the recent book on atomic energy published by a notable British scientist.<sup>7</sup> She had talked with Madame Pandit<sup>8</sup> yesterday who had apparently been very much convinced by the arguments in the book, that there was some merit in the Soviet atomic energy position. The author apparently argued that the USSR should not accept the control system because opposition from other countries would prevent it from developing its own atomic energy program to meet its needs.

AMBASSADOR AUSTIN said that Messrs. Cohen, Rusk, Osborn and Johnson would meet in an attempt to work out additional clauses which might be added to the British resolution on conventional armaments. The purpose of the amendments would be to bring out the fact that the Soviet proposal is pure propaganda, that the program mapped out by the Commission for Conventional Armaments has been stopped by the USSR and that in the present condition of the world today, projects for peace like disarmament cannot be worked out until other issues are first settled. Ambassador Austin also stated the agreement of the Delegation to the present United States position of firm opposition to the French and Belgian amendments to the Soviet proposal.

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<sup>7</sup> P. M. S. Blackett, *Military and Political Consequences of Atomic Energy* (London, Turnstile Press, 1948).

<sup>8</sup> Mrs. Vijaya Lakshmi Pandit, Chairman of the Indian Delegation; Indian Ambassador in the Soviet Union; sister of Indian Prime Minister Jawaharlal Nehru.

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Department of State Atomic Energy Files

*Memorandum of Paris-Washington Teleconference*<sup>1</sup>

TOP SECRET

[PARIS,] October 18, 1948.

CONFEREES PRESENT PARIS

Charles Bohlen<sup>2</sup>  
Admiral K. Hewitt  
Frederick Osborn  
Capt. H. S. [P.] Smith  
Dean Rusk

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<sup>1</sup> Rusk summarized this exchange in a memorandum to the Secretary of State, October 19, not printed (501.BC Atomic/10-1948).

<sup>2</sup> Adviser, United States Delegation; Counselor, Department of State.



*Herewith Pre-Conference Transmission:*

SS-1. You should have before you draft Canadian Resolution dated 12 October which was passed by subcommittee A of Committee 1.<sup>3</sup>

SS-2. Today, on specific instructions Evatt, Australians introduced amendment in Committee 1<sup>4</sup> which would make the following changes:

First, to insert as paragraph 3 the following (which was taken from the Indian draft resolution):<sup>5</sup>

"Calls upon the Commission to resume and continue its work, to proceed with the study of all the matters within its terms of reference, and to prepare for submission to the Security Council, as early as possible, a draft treaty or convention incorporating the Commission's ultimate proposals"

Second, to renumber third paragraph of Canadian Resolution "4", to delete "when" in third line and substitute "if", and to delete everything from word "thereupon" in sixth line through word "shall" in twelfth line, inserting word "to" before word "report" in twelfth line.

SS-3. Spaak believes that temper of Committee 1 is such that the Australian proposal will have strong support and, while it may not get a majority, will almost certainly result in our failure to get a two thirds majority for the straight Canadian resolution and may even result in abstentions to extent that we might fail to get two thirds for approval of proposals.

SS-4. MacNaughton concurs with Spaak's views but says Australian amendment in its present form is of course impossible of acceptance and we would have to fight it even at risk of losing our two thirds or even losing majority. MacNaughton has therefore proposed to Evatt, without our concurrence, that they accept instead the following final paragraph to be added to the Canadian resolution; which would become a complete substitute for the new third paragraph proposed by the Australians:

"Meanwhile the General Assembly calls upon the Commission to resume its sessions, to review its program of work, and to proceed to the further study of such of the subjects remaining in the program of work which it considers to be practical and useful."

SS-5. MacNaughton has just this minute seen Hodgson of Australia. MacNaughton reports that Australia will accept Canadian compromise given in paragraph 4 above. He also tells us that Canadian delegation must go ahead in any event on that basis, on instructions from their highest level, which we assume means MacKenzie

<sup>3</sup> The draft resolution under reference, A/C.1/A.III/1/Rev. 3, is described in editorial note, p. 473. The First Committee commenced consideration of the Subcommittee's report (A/C.1/333) on October 18.

<sup>4</sup> Reference is to document A/C.1/336 (GA (III/1), *First Committee, Annexes*, pp. 21-22). For the record of the 163rd Meeting of the First Committee, at which A/C.1/336 was introduced, see GA (III/1), *First Committee*, pp. 181-191.

<sup>5</sup> For information on the Indian draft resolution, A/C.1/A.III/4/Rev. 2, see editorial note, p. 473.



King; MacNaughton says he is convinced that this is a very wise thing to do and that it will mean a difference of 20 votes. He urges us to accept on ground that other members of Assembly need more time to think over the basic issues involved. He says in spite of our best efforts other members do not yet understand the basic issue, that Russians have played very skillfully upon natural desire of other delegations to keep something going on this subject. He says the resulting resolution would provide six sponsoring powers with opportunity to seek political basis for eventual control system through consultations, in meantime Atomic Energy Commission could review its program. Determine if there "are any odd subjects" which it could take up, and thereby afford members of AEC a further opportunity to give more information to the world about what is really involved.

*Add Conference Present Paris:* Howard Johnson

SS-6. Problem is our position Tuesday afternoon <sup>6</sup> when resolution and amendments will come to vote. We are entirely clear that our basic position means that we must oppose Australian amendment by every possible effort, regardless of voting situation or any political repercussions therefrom. Big problem is posed by Canadian compromise which has now been accepted by Australians. Osborn's estimate is that great majority of States who have served on AEC will support Canadian compromise and he is confident only of Brazilian support from that group. Big risk in our making an isolated last-ditch stand on this point is that we would appear to lend substance to Soviet charge that we are in fact trying to withdraw our offer and that we have not meant what we said in our proposals anyhow. Since this is first major item to come to head in this Assembly, political effect on other important questions is most serious. An immediate adverse effect will be felt in Security Council on Berlin issue where our entire effort has been to stiffen timorous members, including French, who are particularly responsive to propaganda suggestions that the United States is forcing issue to show-down on every question at issue with Soviet Union. UP despatch concerning alleged "GO-Political military plan" of Secretary Marshall for intensification of cold war versus Russia has been widely featured in French afternoon press.

SS-7. Foregoing is brief estimate of UN attitude political mood at this time. We are also informed that Latin American support for our position will be very doubtful if we fail to accept Canadian compromise. These considerations do not of course weigh conclusively against any real possibility that Canadian compromise would endanger any security interest in atomic matters. We see no such danger from here but would like urgently your opinion on this aspect. Bohlen,

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<sup>6</sup> October 19.

Osborn, Rusk, and Hewitt concur in foregoing. Admiral Hewitt desires that Secretary Defense be immediately informed this situation.

SS-8. Matter was discussed briefly with Dulles today who expressed opinion he had always been in favor of completion of treaty—which of course we could not support. Senator Austin believes we should accept Canadian compromise.

SS-9. This must be settled tonight Washington time. We shall stand by for reaction.

SS-10. MacNaughton assures us that under his compromise resolution Atomic Energy Commission would find after relatively few meetings that Russian position made further studies on the program of work to be neither practical nor useful and would again cease its activities leaving to sponsoring powers to find if any basis of agreement exists. Osborn concurs this view and believes Soviet propaganda position would be poor. Believe Hodgson has in mind completing staffing and organization but would be willing to quit after that.

SS-11. General Crittenberger is also present at conference and concurs in foregoing.

For Arneson:

Paige [*Page*] Smith and Howard Johnson, Navy and State members of RAC, are here and concur that we should accept Canadian compromise, in light of fact that Australia is committed to withdraw dangerous amendment and Canada is resolved to go ahead in any event.

*Operator's note to Operator:*

In no uncertain terms we were instructed to have an answer regarding the above by morning and to immediately call Rusk on the reply no matter what time. Please inform Arneson of the above.

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Department of State Atomic Energy Files

*Memorandum of Washington-Paris Teleconference*<sup>1</sup>

TOP SECRET

[WASHINGTON,] October 18, 1948—4 p. m.

CONFEREES PRESENT: [Under] Secretary Lovett  
 Mr. R. Gordon Arneson  
 Mr. Donald M. Leith  
 Mr. William Sanders<sup>2</sup>  
 Mr. Paul Taylor<sup>3</sup>  
 Mr. John Elliott

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<sup>1</sup> Affixed to the USUN copy of this memorandum is a typewritten note by Ambassador Austin which states the following: "November 2, 1948. I never saw this telegram [*sic*] until today."

<sup>2</sup> Acting Director of the Office of United Nations Affairs.

<sup>3</sup> Mr. Paul B. Taylor of the Division of United Nations Political Affairs.

SS-1. Department strongly supports opposition to Australian amendment. Department considers that Canadian compromise suffers, to a somewhat lesser extent, from the same defects as Australian. One—It is contrary to firm analysis of situation contained in Third Report. Two—It is contrary to conclusion of Third Report that work on remaining topics would serve no useful purpose in view of impasse.

The Department believed that net effect of reconvening AEC under Canadian amendment would again result in a reaffirmation of conclusions of Third Report. But Department doubts therefore that GA should hold out the false hope that can be read into Canadian amendment. Department recommends that US should make these points in the committee before vote.

Department recognizes that political situation in UN makes it advisable play down east-west split as far as realities permit, but in view of immediately overshadowing nature Berlin situation compromise calling for futile resumption of UNAEC would not appear justify loss of strength original Canadian resolution.

Department understands need avoid impression US intent upon bringing all major UN issues vis-à-vis Soviet Union to head at this time, but Berlin and AE are only first two major issues. On these U.S. can least afford to give ground. Remaining agenda items may well afford opportunity to show UP story without foundation.

Department recommends that US take every possible measure to secure acceptance of Canadian resolution without amendment. In order to save paragraph one of Canadian resolution, voting should be done paragraph by paragraph.

If in delegation's judgment something along lines of Canadian amendment must be accepted, suggest following wording:

"Meanwhile the GA suggests that the Commission review its program of work and, depending upon the progress made in the discussions referred to in paragraph three above, undertake such studies of the subjects remaining in its program of work as it may consider to be practical and useful."

If Canadians accept equivalent of foregoing but Australians refuse, Department recommends urging Canadians to drop their amendment and to fight in Committee for defeat of Australian amendment and approval of original Canadian resolution.

[For] Lovett:

SS-2. Breakdown in circuits after paragraph SS-6<sup>4</sup> required sending SS-1 before completion your message. On basis of views reported

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<sup>4</sup>Reference is to paragraph SS-6 of the message from Paris, *supra*.



in remainder of message, Department adds the following: If Canadians unwilling to accept our proposed wording for paragraph 4 which would follow on original Canadian paragraph 3 without Australian deletion, U.S. should accept Canadian amendment. Department sees no real possibility that Canadian amendment would endanger security interests in atomic matters particularly in view of fact that reconvened AEC would in all probability quickly conclude that no further studies were practical or useful. In voting for Canadian compromise U.S. should make unequivocally clear that it sees little hope of progress in AEC until Soviet Union accepts the majority plan of control as basis for further work and that no one has any right to the luxury of false hope until that happens.

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IO Files : US(P)/A/M(Chr)/18

*Minutes of the Eighteenth Meeting of the United States Delegation to the General Assembly, Hotel d'Iéna, Paris, October 19, 1948*

SECRET

[Here follows a list of persons (35) present.]

#### I. DEVELOPMENTS ON ATOMIC ENERGY

MR. OSBORN stated that the Australian Delegation had introduced a new amendment <sup>1</sup> to the Canadian resolution on atomic energy <sup>2</sup> which modified the Canadian proposal by the addition of a paragraph calling upon the Atomic Energy Commission "to resume and continue its work, to proceed with the study of all the matters within its terms of reference, and to prepare for submission to the Security Council as early as possible a draft treaty or convention incorporating the Commission's ultimate proposals." He explained that it was impossible for the United States Delegation to accept this amendment under existing instructions since it required the completion of a treaty. It was his view that since the U.S.S.R. would not agree to a treaty, the result would simply be to widen the present breach. Ambassador Austin pointed out that because of its special position, the United States would be expected to come forward with a draft treaty. Mr. Osborn agreed, commenting that any treaty to which the United States could agree under present circumstances, would be so "tough" that it would certainly have little chance of winning general support.

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<sup>1</sup> For text of the Australian amendment, A/C.1/336, see memorandum of Paris-Washington teleconference, October 18, p. 479.

<sup>2</sup> For information on Canadian resolution A/C.1/A.III/1/Rev. 3, see editorial note, p. 473.

MR. OSBORN explained that General McNaughton had now proposed a change in the Australian amendment, to which the Australians had agreed, which reversed the order of the last two paragraphs of the Australian proposal, and, most important, deleted the reference to the conclusion of a treaty. The change which McNaughton proposed was simply to call upon the Atomic Energy Commission "to resume its sessions, to review its program of work, and to proceed to the further study of such of the subjects remaining in the program of work which it considers to be practical and useful." Mr. Osborn pointed out that the Commission might, for example, be expected to do some useful work on matters involving staffing and organization of an international control agency. Then when such studies were concluded, the situation, for lack of basic agreement, would be identical to the present one and the sponsoring powers would, under the resolution, be required to consult. While Mr. Osborn did not regard the Australian amendment as modified by Canada as altogether acceptable, there was really no alternative since it was impossible to obtain a two-thirds majority for complete suspension.

It was noted that Messrs Ramadier and Spaak both believed that the only way to assure approval of the principles of the first, second and third reports of the Atomic Energy Commission was to support this revised Canadian-Australian proposal. Mr. Osborn felt a two-thirds majority was practically insured. It was explained that this situation had been discussed with the Department by teletype last night. The Department had agreed that the United States should support this resolution and saw no possibility of its endangering American security. The United States Delegation, in supporting the resolution, should make clear its belief that there was little hope of progress in the field of atomic energy control until the U.S.S.R. altered its present policy. As a matter of fact, Mr. Osborn thought there was no alternative to acceptance of this new text since Canada, United Kingdom, Belgium and France had all deserted the United States.

AMBASSADOR AUSTIN commented that the position of Belgium, France and Canada on this matter had come as a surprise and was most disappointing. He had argued the United States position with representatives of these states without success. These representatives took the view that the clause in the resolution continuing the Commission was essential if a large majority were to be obtained for the principles in the three reports of the Atomic Energy Commission. This argument, together with the fact that votes were slowly slipping away from the United States position, had forced the change of position.

MR. COHEN asked whether it would be practical to have the Canadian amendment changed slightly in order to clarify our own position. He suggested that paragraph four might be altered to read "remaining in the program of work as to which it is found that sufficient agreement exists as to make further study practical and useful." He questioned whether the resolution got across the idea that the United States objection was not to further quiet exploration in the field of atomic energy control, but its belief and fear that the only result of the repetition of the old positions of all the members would be to make the situation and the hope of progress worse and not better. In other words, the United States considered that the Atomic Energy Commission had reached the point where further meetings would actually widen the breach qualitatively, if not quantitatively. His suggested change developed this point of view.

MR. DULLES thought that Mr. Cohen's amendment improved the resolution but reopened the controversy in the Committee since, although the United States believed that the existing situation made further work impossible, other states did not concur in this view. He feared that if the United States proposed such a change the Committee would be likely to get off the track a second time. As the resolution stood, it was not particularly bad, and it would be no misfortune if the present text were adopted. Mr. Osborn agreed, pointing out that consideration also should be given to the fact that the Indian-Syrian resolution<sup>3</sup> was still before the Committee. He thought it was desirable to retain somewhat equivocal language, particularly because it might be acceptable to the Syrians. Mr. Cohen said he had not meant that the present text was unsatisfactory. He was simply trying to clarify the basis for the United States position—not that it did not want agreement but that it believed further discussions at this time would make future progress more difficult. Mr. Rusk thought Mr. Cohen's point should be incorporated in Ambassador Austin's speech and commented that his idea was one which the Department considered important.

AMBASSADOR AUSTIN thereupon stated that the Delegation was unanimously agreed upon the Australian amendment to the Canadian resolution as further modified by the Canadians.

[Here follows discussion of other subjects.]

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<sup>3</sup> Reference is to Indian proposal A/C.1/A.III/4/Rev. 2: for information on that draft, see editorial note, p. 473. This Indian proposal included the suggestion embodied in Syrian amendment A/C.1/309 (for text, see GA (III/1), *First Committee, Annexes*, pp. 4-5) that the Atomic Energy Commission prepare a draft treaty for international control.



*Editorial Note*

At the 164th Meeting of the First Committee, October 19, 3 p. m., the Canadian Delegation agreed to amend its draft resolution, A/C.1/A.III/1/Rev. 3 (that approved by Subcommittee III). The modification consisted of the addition of the following sentence: "Meanwhile the General Assembly calls upon the Atomic Energy Commission to resume its sessions, to survey its programme of work, and to proceed to the further study of such of the subjects remaining in the programme of work as it considers to be practicable and useful." This augmented draft, circulated as A/C.1/340, was ultimately approved by the General Assembly; for text, see page 495.

Later in the meeting, Ambassador Austin delivered a statement which was recorded as follows: "Mr. Austin (United States of America) stated that his delegation would accept the revised Canadian resolution but wished it clear that it still adhered to the principles and policies which the delegation had advocated throughout the debate. His delegation was firmly convinced that the Third Report of the Commission was correct in stating that no useful purpose could be served by carrying on negotiations at the Commission level since the failure to achieve agreement arose from a situation beyond its competence. The Commission had found the deep-seated political division separating the Eastern Powers from the Western Powers a constant barrier to agreement and had therefore recommended, not an indefinite suspension as Colonel Hodgson had considered, but a suspension until such a time as the Assembly found that the present situation no longer existed, or until the six permanent members of the Commission found, through prior consultation, that a basis for agreement existed.

"However, the United States had given attention to the anxiety expressed in the Committee that the question of international control was being set aside. While still believing firmly that a solution could come only on a higher level, it would agree with the feelings of the Committee. As evidence that the United States did not try to force its opinion on others, it was going to vote for the Canadian draft resolution. But he thought it would be the gravest error to merge again the question of the control of atomic energy with the regulation and reduction of conventional armaments after they had been separated by the Security Council in February 1947 after a long debate. The General Assembly must use its moral power in support of the work of the Atomic Energy Commission where a small minority had persistently resisted a decision of the Commission. He objected to weakening the resolution by adding the words 'in principle' or 'substance' in the first

paragraph. He repeated that his delegation would give its support to the Canadian draft resolution provided it were not mangled by amendments." For the full record of the 164th Meeting of the First Committee, see GA (III/1), *First Committee*, pages 191-203. For full text of Austin's remarks, see Department of State *Bulletin*, October 31, 1948, pages 539-540.

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IO Files: US(P)/A/C.1/165

*Memorandum of Conversation, by Mr. G. Hayden Raynor, Adviser,  
United States Delegation*

SECRET

[PARIS,] October 20, 1948.

I asked Mr. Hodgson, Australian Delegation, if his Delegation was satisfied with the resolution which was passed.<sup>1</sup> He expressed satisfaction as to its substance, but feels very badly over the fact that the last paragraph was submitted by the Canadians as an amendment to the Australian amendment. He was apparently placed very much on the carpet by his Foreign Minister, and charged with having had the wool pulled over his eyes by the Canadians. Incidentally, the Canadians also came in for some censure from the U.K. because of their failure to inform the U.K. promptly of the new paragraph.

I spoke to Munoz,<sup>2</sup> of Argentina, and expressed surprise about the Argentine stand,<sup>3</sup> stating that we had always felt they agreed with the majority atomic energy plan. He was at a loss to understand it himself and was inclined to attribute the position to the fact that the Argentine representative in the chair of the committee was not familiar at all with the problem. Mr. Meade,<sup>4</sup> of the U.K., states that the real reason for the abstention was fear on the part of the Argentine Foreign Minister that, because he is engaged in conciliation on the Berlin question, the Argentine must not take any action which the Russians would interpret as unfriendly.

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<sup>1</sup> At its 165th Meeting, October 20, 10:30 a. m., the First Committee approved the Canadian draft resolution A/C.1/340 by a vote of 41 to 6, with 10 abstentions. The Committee also rejected the Soviet proposal, A/C.1/310, which is printed in footnote 1; p. 445, October 4 (by a vote of 39 to 6, with 7 abstentions), and the Indian proposal, A/C.1/A.III/4/Rev. 2, which is described in editorial note, p. 473 (by a vote of 23 to 6, with 21 abstentions). Certain other proposals and amendments were either defeated or withdrawn. These decisions and the text of the draft resolution adopted (printed p. 495) were recorded in document A/690, the report by the First Committee on item 1 of its agenda to the General Assembly, October 23; for text, see United Nations, *Official Records of the General Assembly, Third Session, First Part, Annexes*, vol. 1, pp. 270-275. For the record of the 165th Meeting, see GA (III/1), *First Committee*, pp. 203-213.

<sup>2</sup> Rudolph Munoz, Alternate Member of the Argentine Delegation; Counsellor of Embassy, Permanent Argentine Delegation to the United Nations.

<sup>3</sup> Argentina abstained in the vote on the Canadian draft resolution.

<sup>4</sup> Mr. G. Meade, Adviser, British Delegation.

IO Files

*Minutes of the Twentieth Meeting of the United States Delegation to the General Assembly, Hotel d'Iéna, Paris, October 21, 1948, 9:15 a. m.*

SECRET

[Here follow a list of persons (34) present and discussion of various subjects.]

### I. DISARMAMENT

MR. OSBORN explained that agreement on the text of a draft disarmament resolution had been delayed because of the negotiations on atomic energy. The United States had been attempting to find an acceptable formula in consultation with the British, French, and Belgian representatives.

He noted that M. Rolin of Belgium had some ideas on publishing information on armaments as a preliminary measure.<sup>1</sup> He stated that the United States could not accept a simple reporting system which would include atomic energy, unless there were an accompanying system of control and verification. Nevertheless, the Belgian proposal held a good deal of popular appeal. A resolution had been worked out under which the Belgian proposal for a preliminary filing of advance information would be included in the plan for additional safeguards. The Delegation had before it a French draft resolution (US(P)/A/C.1/151)<sup>2</sup> which he believed was as good as anything which could be worked out in the time available. Our policy required a generally fixed position within which it had been necessary to work out an acceptable text.

THE SECRETARY asked for the comments of the Delegation on the draft resolution. Admiral Hewitt said that, from the military point of view, it seemed to embody all the prerequisites to disarmament which were of special importance. In this connection, he called particular attention to the following clauses of the preamble of the resolution: "*Affirms* that this aim can only be attained in an atmosphere of real and lasting improvement in international relations, which improvement will permit the organization of peace in an atmosphere of renewed confidence;

<sup>1</sup> For text of the operative portion of the Belgian draft resolution introduced October 23, A/C.1/SC.12/2, see footnote 1, p. 469.

<sup>2</sup> US(P)A/C.1/151, not printed, was a revision of French draft resolution A/C.1/325, October 13, the operative portion of which is printed in footnote 1, p. 469. US(P)A/C.1/151 was virtually the same as the draft contained in document A/C.1/SC.12/1, *infra*, except that the penultimate introductory clause of the latter did not appear in US(P)A/C.1/151, and the last introductory clause quoted by Admiral Hewitt below did not appear in A/C.1/SC.12/1.



"*Believing* that international confidence cannot be restored without the co-operation of all states in a system of security, including the international control of atomic energy

"*Believes* that the indispensable prerequisite of regulation of conventional armaments is exact knowledge of their state in the various countries, and that to this end, detailed reports must be received, verified and published by an international control organization;"

MR. GROSS inquired what the meaning of the word "stage" was in the second paragraph of the operative part of the resolution, which stated in part, "requests the Security Council to develop through the Commission for Conventional Armaments as a *stage* in its system of safe-guards a plan for the receipt verification and publication . . . of information on armaments . . ." Mr. Osborn explained that it meant that a plan to receive such information would be a part of the total work program of the Commission for Conventional Armaments. He noted that the Commission for Conventional Armaments was now working on this particular item as part of its overall planning. This clause was simply an instruction to the Commission for Conventional Armaments to include in the safeguards not only the results of inspection and control but a preliminary stage of information which would be used as a basis for determining the reduction of armaments. Ambassador Austin commented that the difficulty was that "stage" had gotten a conventional meaning in connection with atomic energy. Mr. Osborn pointed out that it had the same meaning in this case in that the first stage was to obtain armaments information and then plan reduction.

MR. DUILLES referred to Paragraph 1 of the operative part of the resolution and said that he disliked somewhat the phrase "progressive reduction of armaments." As a matter of fact, it was actually necessary to build up armaments in some cases because of a great unbalance or vacuum of power, which needed to be filled up by power. He pointed out that the Charter speaks of "reduction of armaments," and he wondered whether that phrase might not be used. Mr. Osborn said he would try to have this phrase changed in Paragraph 1 but thought that in Paragraph 2 the reference to "the reduction to be required to each nation" would probably have to remain.

Discussion disclosed that this language in the second paragraph was not satisfactory. Mr. Sandifer suggested the possibility of using the word "level" but the Secretary pointed out that this might be interpreted to mean even armaments.

MR. BLAISDELL referred back to the preamble and suggested that the phrase "regulation of armaments" should be used instead of the phrase "limitation of armaments" in the statement in the preamble which read

"declares that the limitation of armaments is a fundamental aim of the United Nations". Mr. Osborn thought this could be done.

Turning back again to the language in the second paragraph of the operative text of the resolution, MRS. ROOSEVELT suggested the use of the words "balance of armaments". Mr. Dulles wondered just what was meant by the existing language "reduction to be required of each nation". Mr. Jessup thought this language met the Soviet propaganda line, but Mr. Dulles thought the implication should be turned the other way in our favor by referring to a balance, and by showing the Soviet unbalance of power. Mr. Jessup pointed out that all these things took place only after disarmament was accomplished. These clauses for reduction would be operative only after several prerequisites were worked out.

MR. DULLES pointed out that, nevertheless, the United States will necessarily be building up its armaments. Under these circumstances, how could the phrase "reduction of armaments" be reconciled with the actual situation? Mr. Osborn said the present draft was important because the French could not get away with anything less with their own people. Mr. Dulles said he thought the French should be frankly told that if they wanted this kind of resolution they are going to have a hard time getting arms for themselves from the United States. He thought it was most undesirable to have anything that suggested reduction of armaments for each nation as the desideratum. Ambassador Austin thought it would be preferable to have a perfectly frank statement in paragraph 2 and suggested it might read "to determine the military establishment to be permitted to each nation." Mr. Osborn suggested alternatively, the phrase "balance to be permitted each nation". Ambassador Austin commented that this idea might not be so popular but it was the truth. The Secretary noted that two years ago we were afraid to use the word reduction because of the fear of getting off on an emotional bent and subsequently disappointing ourselves. He agreed with Mr. Dulles that the French position was inconsistent, and that they could not eat their cake and have it too. He thought we should tell the French our feeling on this matter quite frankly; that was the key to the situation.

THE SECRETARY asked the Delegation if it agreed to the language "to determine the proper balance of armaments to be permitted to each nation". Mr. Jessup thought this language would have an unfortunate effect since it assumed we are embarking on disarmament of each nation to achieve a balance. Mrs. Roosevelt noted that the present language, "reduction to be required", gave the propaganda value, and did not actually say such reduction would be required of each nation but just where it was needed, and would therefore not foreclose other nations from building up their armaments.



[Here follows additional discussion of the language of draft resolution US(P)A/C.1/151, at the conclusion of which Frederick Osborn, the United States representative to Subcommittee 12, was authorized to proceed with negotiations within the limitations of the draft as altered by the Delegation. The Delegation then turned to consideration of other subjects.]

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IO Files : A/C.1/SC.12/1

*Draft Resolution Submitted by the United States to Subcommittee 12 of the First Committee of the General Assembly*<sup>1</sup>

[PARIS,] October 21, 1948.

Prohibition of the Atomic Weapon and the Reduction by One-third of the Armaments and Armed Forces of the Permanent Members of the Security Council: Proposed Amendments to French Draft Resolution (A/C.1/325)

[Here follows a description of the modifications proposed by the United States.]

The French draft resolution so amended would read :

*The General Assembly,*

*Considering* that the maintenance of peace and the adoption of measures for the prevention of all recourse to force are the essential aims that the peoples of the United Nations are resolved to pursue;

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<sup>1</sup> The United States introduced this proposal at the 5th Meeting of Subcommittee 12, October 21. It was withdrawn by the United States Delegation at the 7th Meeting, October 25, 10:30 a. m., in favor of a Belgian amendment (to French draft resolution A/C.1/325) A/C.1/SC.12/2; for texts of the operative portions of the French and Belgian proposals, see footnote 1, p. 469. A/C.1/SC.12/2, subsequently amended, was adopted by the Subcommittee at its 8th Meeting, October 25, 3 p. m., by a vote of 7 (Belgium, Brazil, China, France, Lebanon, United Kingdom, United States) to 2 (Poland and the Soviet Union), with Australia abstaining and El Salvador absent. The operative portion of the version adopted varied only slightly from that of A/C.1/SC.12/2 except for the addition of a final paragraph which read as follows: "[The General Assembly] Invites all nations in the Commission for Conventional Armaments to co-operate to the utmost of their power in the attainment of the above-mentioned objectives."

Also at the 8th Meeting, the Subcommittee rejected a Soviet proposal consisting of document A/658 (for text, see telegram Delga 117, September 25, p. 431) modified by Soviet amendment A/C.1/SC.12/3, which revised the final paragraph to read as follows: "The General Assembly recommends for the purpose of the supervision of and control over the implementation of the measures for the reduction of armaments and armed forces and for the prohibition of atomic weapons the establishment within the framework of the Security Council of an international control body, to which full official data on the state of the armaments and armed forces of the permanent Members of the Security Council—United States of America, United Kingdom, Union of Soviet Socialist Republics, France and China—must be submitted." The vote on the Soviet proposal was 2 in favor (Poland and Soviet Union), 6 against (Belgium, Brazil, China, France, United Kingdom, United States), Australia and Lebanon abstaining, and El Salvador absent.

These results and the texts voted upon were recorded in the report of the Subcommittee, A/C.1/356/Rev. 1, November 2; for text, see GA (III/1), *First Committee, Annexes*, pp. 34-39.



*Desiring* to establish relations of confident collaboration between the States within the framework of the Charter and to make possible a general reduction of armaments in order that humanity may in future be spared the horrors of war and that the peoples may not be overwhelmed by the continually increasing burden of military expenditure;

*Recalling* its resolution of 14 December 1946;<sup>2</sup>

*Declares* that the regulation of armaments is a fundamental aim of the United Nations;

*Affirms* that this aim can only be attained in an atmosphere of real and lasting improvement in international relations, which improvement will permit the organization of peace in an atmosphere of renewed confidence;

Likewise *affirms* that this aim cannot be achieved unless States sincerely and honestly accept the stocktaking, publicity and control measures calculated to lay the foundations for a general limitation of armaments and to guarantee its strict implementation, and unless they, therefore, give the indispensable undertakings;

*Believing* that international confidence cannot be restored without the co-operation of all States in a system of security, including the international control of atomic energy;

*The General Assembly*

*Recommends* the Security Council:

(1) To promote the international regulation of conventional armaments and armed forces with a view to the progressive reduction of the world total of conventional armaments and armed forces as soon as conditions of international security permit; and emphasizes the particular responsibility of the five permanent members of the Security Council in this matter.

(2) To develop through the Commission for Conventional Armaments, as a stage in its system of safeguards, a plan for the receipt, verification and publication by an international control agency of the information on armaments necessary to determining the reductions to be required of each nation.

(3) To request the Commission for Conventional Armaments to continue without delay its work in accordance with the plan approved by the Security Council at its 152nd session while seeking specially the means for presenting an acceptable plan embodying the measures herein proposed.

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<sup>2</sup> For text, see *Foreign Relations*, 1946, vol. I, p. 1099.

IO Files

*United States Delegation Memorandum*

CONFIDENTIAL

[PARIS,] October 30, 1948.

REPORTS OF THE ATOMIC ENERGY COMMISSION: REPORT OF THE FIRST COMMITTEE <sup>1</sup>1. *United States Position*

The United States Delegation should vote in favor of the Canadian Resolution <sup>2</sup> which received a more than two-thirds vote in Committee 1. If the Syrian Resolution <sup>3</sup> is introduced in the Plenary, the United States should of course vote against it.

It is desirable for the United States Delegation to open the debate on this subject. The Canadian, French and British Delegations all feel it is necessary we should open the debate. If Vishinsky makes a violent speech, the British will probably reply. Ambassador Austin's name has been put down to speak first.

2. *History in Committee*

The Canadian Resolution was introduced by the Canadian Delegate immediately upon the opening of debate in Committee 1. It approved the pertinent parts of the First and Second Reports and the Recommendations of the Third Report. There was no provision for continuing the Atomic Energy Commission unless a basis were found for doing so by the General Assembly or the sponsoring powers.

Amendments were introduced by Syria, instructing the Atomic Energy Commission to meet and complete the treaty; by India <sup>4</sup> and by Australia, <sup>5</sup> each instructing the Atomic Energy Commission to meet, and each with the implication that it should complete a treaty.

The United States Delegate in a first and unprepared speech indicated that the United States was willing to accept a compromise. The amendments, particularly that of Australia, began to be very favorably received. Over night the Canadian Delegate, General McNaughton, arranged with Colonel Hodgson of Australia for the modification of the Australian amendment in a more acceptable form. The United States Delegation felt this was necessary in order to get a two-thirds majority for approval. Telegraphic approval was received from the State Department. The amendment was offered in the next meeting and

<sup>1</sup> For text of the report, document A/690, see GA (III/1), *Annexes*, vol. I, pp. 270-275.

<sup>2</sup> The Canadian resolution, document A/C.1/340, is printed *infra*.

<sup>3</sup> For text of the Syrian amendment, A/C.1/309, see GA (III/1), *First Committee, Annexes*, pp. 4-5.

<sup>4</sup> Indian proposal A/C.1/A.III/4/Rev. 2 is described in editorial note, p. 473.

<sup>5</sup> For text of the Australian amendment, see memorandum of Paris-Washington teleconference, October 18, p. 482.

the whole matter referred to sub-committee. After a number of meetings the sub-committee reported out two resolutions, namely, the Canadian resolution as amended by the modified Australian amendment by a vote of 8 in favor and 2 against and one abstention and the Soviet resolution<sup>6</sup> by a vote of 2 in favor, 7 against and two abstentions. The sub-committee reported to Committee 1 which, after debate, approved the Canadian resolution by a vote of 41 to 6, with 10 abstentions.

### 3. *Possible Developments in the Plenary Meeting*

It is probable that Mr. el Khouri of Syria will reintroduce his resolution or amendment calling for the completion of a treaty by the Atomic Energy Commission. This will fail to gain a majority. It is possible that Mr. el Khouri will then vote for the Canadian resolution. There has been anxiety that the Indian Delegation would again move their resolution. They are particularly anxious that the Reports of the Commission should be approved "in substance" or "in principle." It is hoped that they will settle for a statement before they vote, to the effect that their approval is contingent not only on completion of the whole treaty but on the approval of the detailed elaboration of what is already written. No trouble is expected from Australia except for the wholly unpredictable nature of Mr. Evatt's leadership. It is hoped that in the Plenary several nations who have abstained in Committee 1 will vote in favor, especially Ecuador, Argentina, El Salvador. South Africa, Venezuela and Yemen are doubtful.

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<sup>6</sup> For text of the Soviet draft resolution, A/C.1/310, see footnote 1, p. 445.

IO Files

### *Resolution Adopted by the General Assembly*<sup>1</sup>

191(III)

[PARIS, November 4, 1948.]

### REPORTS OF THE ATOMIC ENERGY COMMISSION

#### *The General Assembly,*

*Having examined* the first, second and third reports of the Atomic Energy Commission, which have been transmitted to it by the Security Council in accordance with the terms of General Assembly resolution 1(I) of 24 January 1946,

1. *Approves* the general findings (part II C) and recommendations (part III) of the first report and the specific proposals of part II of the second report of the Commission as constituting the necessary basis

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<sup>1</sup> For an account of the General Assembly's approval of this resolution, see Osborn's letter to Russell, *infra*.



for establishing an effective system of international control of atomic energy to ensure its use only for peaceful purposes and for the elimination from national armaments of atomic weapons in accordance with the terms of reference of the Atomic Energy Commission;

2. *Expresses* its deep concern at the impasse which has been reached in the work of the Atomic Energy Commission, as shown in its third report, and regrets that unanimous agreement has not yet been reached;

3. *Requests* the six sponsors of the General Assembly resolution of 24 January 1946, which are the permanent members of the Atomic Energy Commission, to meet together and consult in order to determine if there exists a basis for agreement on the international control of atomic energy to ensure its use only for peaceful purposes and for the elimination from national armaments of atomic weapons, and to report to the General Assembly the results of their consultation not later than its next regular session;

4. *Meanwhile,*  
*The General Assembly*

*Calls upon* the Atomic Energy Commission to resume its sessions, to survey its programme of work, and to proceed to the further study of such of the subjects remaining in the programme of work as it considers to be practicable and useful.

Hundred and fifty-seventh plenary meeting, 4 November 1948.

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Department of State Atomic Energy Files

*The Deputy United States Representative to the United Nations Atomic Energy Commission and Commission for Conventional Armaments (Osborn) to His Special Assistant in New York (Russell)*

[PARIS,] November 5, 1948.

DEAR CHARLIE: Yesterday was the big day and it came off all right. We started at 10:30 in the morning in the Plenary Session, and ended up about a quarter to 8.<sup>1</sup> Vishinsky spoke in the morning—for an hour and a half—and Czechoslovakia. Ramadier also spoke in the morning and made an able speech. (Senator Austin was the only speaker when the debate opened in short session late in the previous day.<sup>2</sup>)

In the afternoon we had speeches by Yugoslavia, Canada, Byelorussia, the United Kingdom, Belgium, Poland, Philippines, Australia, Ukraine.

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<sup>1</sup> For the records of the 156th and 157th Plenary Meetings of the General Assembly, November 4, see GA (III/1), *Plenary*, pp. 401-470.

<sup>2</sup> For the record of General Assembly consideration of atomic energy at the 155th Plenary Meeting, November 3, see GA (III/1), *Plenary*, pp. 395-400; for text of Ambassador Austin's remarks, see Department of State *Bulletin*, November 14, 1948, pp. 602-606.

The Soviet speeches were extraordinarily repetitious and on the same old themes of Wall Street monopoly, invasion of sovereignty, threats of atomic destruction by imperialists. To my surprise, Vishinsky and one other had the effrontery to state at length, and with emphasis, that the decision of the majority of the General Assembly, which he recognized was a foregone conclusion, did not represent the wishes of the majority of the world; that what was a majority of the General Assembly was a minority of the peoples, and what was a majority of the peoples was a minority in the General Assembly. This from the only country in the General Assembly which makes no pretence at free elections.

Rolin of Belgium spoke much too long, an hour and ten minutes, but he made an able speech and some of his material was very good. Among other things, he said that the Soviet questioned the sincerity of the United States, to which he wanted to make a very brutal reply, as follows: "It is certain that at present the United States alone has an adequate stock of bombs. During this transition time of brief advantage, they have two choices: one, international control; two, to use the bomb now against their principal enemy before he has it. The latter terrible proposal has been made. It has been considered. It has been refused by the United States public and by the United States military. Having refused this terrible alternative, the United States can only find security in international control. This is conclusive evidence of their sincerity."

Hector McNeil made a brilliant reply to Vishinsky, much of it very quotable.

The verbatim record of this whole debate should be scanned carefully for quotations which can be used in future debates. The Soviet made some very bad statements which can be used against them in the future, and our friends on the Commission made some very fine statements which can be used. I am going through the verbatim here myself for excerpts, and will see that we get a full copy for our files in New York.

From noon on Evatt was trying to get us to compromise on a modification of the Indian amendment<sup>3</sup> for continuing the work of the Commission to completion. McNaughton and I refused categorically. From five o'clock on Hector McNeil was trying to get us to compromise by accepting the first part of the Indian amendment which

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<sup>3</sup> Reference is to the amendment contained in document A/700, proposed by India at the 156th Meeting. The first point of the amendment would have limited approval of the reports of the Atomic Energy Commission to approval "in substance." The second point consisted of replacing the fourth paragraph of the Canadian resolution with the following: "[The General Assembly] Calls upon the Atomic Energy Commission to resume and continue its work, to proceed with the study of all the matters within its terms of reference, and to prepare for submission to the Security Council, as early as possible, a draft treaty or convention incorporating the Commission's ultimate proposals."



would have inserted the words "in substance or in principle" in the first paragraph. I refused categorically and turned him over to McNaughton.

We had Ben Cohen, who was sitting at the head of the Delegation by that time, all primed to raise a point of procedure if Evatt ruled that the Indian amendments could be passed by a simple majority. But the question never came up. The vote on the first Indian amendment was 9 for, 15 against and 26 abstentions. The vote on the second Indian amendment, to have the AEC complete its work, was 5 for, 31 against and 15 abstentions.<sup>4</sup>

It was now very late and we had been struggling to prevent delegates leaving entirely and to bring back some of the absent ones, but with only partial success. The final vote on the Canadian resolution<sup>5</sup> was 40 yes, 6 no, and 4 abstentions. The abstentions were Afghanistan, India, South Africa and Venezuela. We expected these and had been working over them, but with no effect. However, we got the votes of Saudi Arabia, Syria, Yemen and Ecuador, all of whom had abstained in Committee 1.

The absentees on the final vote were as follows: Costa Rica, El Salvador, Guatemala, Iceland, Iran, Iraq, Pakistan and Siam. All of these would have voted favorably except possibly Iran and Iraq, though these voted favorably in Committee 1 and we have no reason to think they would have abstained if they had been present. There were three important receptions going on that afternoon, including General Marshall's, and it was very hard to hold the delegates until 8 o'clock, particularly as many thought that the voting would not take place until next day.

I suppose there will always be some question whether we could have gotten a two-thirds majority if the resolution had not included instructions to the AEC to go back to work. General McNaughton feels very strongly that such an amendment would have been voted into the resolution in any event by a substantial majority, and that without it we would never have approached two-thirds for the balance of the resolution. I am inclined to agree with him. The thing that really put it through in such fine style was the tremendous support the resolution got from Belgium, France and Australia. Belgium and France would only have gone along with complete suspension if we had used very coercive efforts—if at all. Australia would have fought us to the limit on it and would have had tremendous support from India, Syria, the Philippines, El Salvador, and a considerable number of others. I think we did well to come out as we did.

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<sup>4</sup> At the request of the Soviet Delegation, a vote was also taken at the 157th Meeting on Soviet resolution A/C.1/310 (for text, see footnote 1, p. 445). The proposal was defeated by 40 votes to 6, with 5 abstentions.

<sup>5</sup> *Supra*.



A very great effort was made with the Indian Delegation. Mrs. Roosevelt saw Madame Pandit alone and at length. I had two very long luncheons with Benegal Rau to whom I am personally much attached. Mrs. Roosevelt had Madame Pandit and Mr. Nehru to lunch alone with me and we had a great go at them. McNaughton also worked on them continuously and at great length. But the Indian mind seems able to close itself to the harsher realities of life, . . .

We made an equal effort with South Africa. I saw them a considerable number of times and so did McNaughton. But the problem of the continued domination of five million blacks by 300,000 whites is fully occupying their minds.

It seems to me that there are several lessons to be learned in this presentation to the General Assembly.

The first lesson is that before coming to the General Assembly with a proposition we ought to conduct a sort of seminar on what the reaction is likely to be. In this case I think we would have foreseen the reaction that a large number of delegates would want to continue the AEC. Had we foreseen this we could have prepared our speeches and arguments accordingly. Instead, the delegation was not only unprepared but many members of the delegation had not thought the thing through sufficiently to be able to put up any argument at all.

The second lesson is that a delegation should be thoroughly and exhaustively briefed among all its members on a matter of this sort, so that the delegates and alternates and all the political officers thoroughly understand the matter and can argue about it insistently. Practically no briefing of this sort was done until after we had gotten well into the debate, and then only with small groups. This kind of briefing is not possible after the work of the Assembly started. It should be done two or three days before the Assembly starts. The whole delegation should be on the spot, at least three days before the Assembly is due to open, instead of arriving at one o'clock the opening morning.

A third lesson is that the real preparatory work for a debate in the General Assembly is done in the Atomic Energy Commission itself. The Canadian resolution would never have gotten a two-thirds vote, or even a majority vote, if it had not been for the full understanding and enthusiastic support of de Rose,<sup>6</sup> van Langenhove, Wei, McNaughton, Richard Miles,<sup>7</sup> and, in his own way, Hodgson. These men felt that they had a personal interest in getting the work they themselves had done approved in the General Assembly.

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<sup>6</sup> François de Rose, Adviser, French Delegation to the General Assembly; Counsellor of Embassy, Permanent French Delegation to the United Nations; Adviser, French Delegation to the United Nations Atomic Energy Commission.

<sup>7</sup> Richard T. G. Miles, Adviser, British Delegation to the General Assembly; Adviser, British Delegation to the United Nations Atomic Energy Commission.

Even when they were superseded in their delegation by prominent figures like Mr. Ramadier and Senator Rolin, they were able in a week or ten days fully to bring these men into agreement with their views, and so to educate them that on the last day these men were making exceedingly able speeches. I must include also Mr. el Khouri, who made a powerful attack on the Soviet for daring to say that this was an American plan, after all the work he, Mr. el Khouri, and the others had done on it. That speech had a very important effect on the Arab delegations.<sup>8</sup>

This last lesson, therefore, is the most important of all. We can get important support in the General Assembly for any measure which in itself is sound, and which has been developed and worked up by the cooperative effort of a number of different states.

This is something we must bear very much in mind as we determine what work in the AEC we deem practical or useful.

Yours sincerely,

FREDERICK OSBORN

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<sup>8</sup> Reference is presumably to El Khoury's statement at the 163rd Meeting of the First Committee, October 18; for the record of his remarks, see GA (III/1), *First Committee*, pp. 185-186.

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IO Files : US(P)/A/253

*United States Delegation Memorandum*

RESTRICTED

[PARIS,] November 17, 1948.

REPORT AND RECOMMENDATION OF THE FIRST COMMITTEE RESULTING  
FROM CONSIDERATION OF THE SOVIET PROPOSAL FOR A ONE-THIRD  
ARMS REDUCTION <sup>1</sup>

1. *United States Position*

The United States Delegation should vote in favor of the French Resolution as amended by the Belgians, with the changes later introduced by a further French amendment.<sup>2</sup> This is the resolution which

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<sup>1</sup> At its 194th and 196th to 199th Meetings, November 11-13, the First Committee considered the report of Subcommittee 12 (A/C.1/356/Rev. 1), which is described in footnote 1, p. 492. Osborn delivered an important expression of United States policy at the 196th Meeting, November 12; for text, see Department of State *Bulletin*, November 21, 1948, pp. 630-633, 641 (date of the statement incorrectly stated as November 11), or *Documents on Disarmament 1945-1959*, vol. I, pp. 179-187. The First Committee concluded its consideration of the question by adopting a report to the General Assembly, document A/722; for text, see GA (III/1), *Annexes*, pp. 367-372.

<sup>2</sup> The First Committee adopted the Belgian draft resolution, paragraph 17 of Subcommittee 12's report (A/C.1/356/Rev. 1), after accepting two amendments to it. These amendments, presented by Syria (A/C.1/390) and France (A/C.1/392), respectively invited the Commission for Conventional Armaments to proceed with its work as soon as possible, and proposed that the international organ of control be established within the Security Council. For information on the



was approved in Committee 1 by an affirmative vote of 40 in favor, 6 against, and 1 abstention. If the Soviet resolution calling for a one-third reduction of arms among the Big Five<sup>3</sup> is introduced, or the similar Polish resolution<sup>4</sup> introduced, the United States should vote against them, and if they are voted on paragraph by paragraph, the United States should vote against each paragraph on the ground that they are a part of an unacceptable resolution, or else that they are specifically irrelevant (as is the paragraph dealing with atomic energy) or in themselves unacceptable.

The necessity for the United States Delegation to make a general statement on this subject will be determined by the length and trend of the debate. The opening statement should in any event be made by Belgium or France, whose resolution it is. A short statement by the United States has been prepared for use if necessary.

If Vishinsky makes a violent propaganda speech, some other reply may be indicated, though on present information it would seem best to ignore him in the Plenary.

## 2. *History in Committee*

It was not expected that the subject of disarmament would be raised in this General Assembly. However, at the start of the Assembly Vishinsky introduced the surprise Soviet resolution demanding the prohibition of atomic arms and the one-third reduction of arms of the five big powers. It was early agreed among the other nations that the Vishinsky proposal was pure propaganda and should be voted down in its entirety, and a new resolution prepared to take its place, which resolution would instruct the Commission on Conventional Armaments to continue its work. The United Kingdom Delegation prepared such a resolution<sup>5</sup> and the United States would have been willing to back it. It was, however, unacceptable to the French and Belgian Delegations because it was critical of the Soviet Union and was not in their opinion constructive. The French prepared and presented a resolution which appeared to propose the formulation of new plans outside of the Commission for Conventional Armaments. After prolonged conversations, the Belgians presented an amendment to the French

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draft resolution as approved by Subcommittee 12, see footnote 1, p. 492. The texts of the Syrian and French amendments adopted are contained in the record of the 199th Meeting of the First Committee, November 13, at which time the amended draft resolution was approved. For the record of that meeting, see GA (III/1), *First Committee*, pp. 612-630. For the resolution adopted by the First Committee and subsequently approved by the General Assembly, see p. 503.

<sup>3</sup> The Soviet resolution, document A/658 as amended by document A/C.1/SC.12/3, is described in footnote 1, p. 492.

<sup>4</sup> The Polish proposal, document A/C.1/SC.12/4, is printed in paragraph 18 of Subcommittee 12 report A/C.1/356/Rev. 1; for text, see GA (III/1), *First Committee, Annexes*, p. 39.

<sup>5</sup> For information on the British resolution, A/C.1/319, see footnote 7, p. 461.



resolution, keeping the work in the CCA, in the framework of the Security Council, and providing that the first effort should be to develop plans for and actually to set up an international organ which would receive, verify and publish figures on armies and armaments. This amendment was whipped into shape and accepted by the French. It was adopted by the Sub-Committee and sent to Committee 1. In Committee 1 minor changes were made in the text by amendments proposed by the French and Australians, and the final text was adopted and recommended to the Plenary. The original Soviet resolution was also voted on in Committee 1, and was rejected by a vote of 41 to 6, with one abstention.

### 3. *Possible Developments in the Plenary Meeting*

The Franco-Belgian text will be submitted for vote in the Plenary with strong support by Belgium, France, the United States and other nations. There is no doubt that it will have almost the unanimous support of the Assembly, except for the 6 Soviet votes. There is little likelihood of its amendment. Any amendments which would provide for the publication of any information prior to verification by the inspection of an international organ should be vigorously rejected.

The Soviet will undoubtedly insist on a vote being taken on their original resolution, paragraph by paragraph, and as a whole. We should vote resolutely against every paragraph as well as against the resolution as a whole. We cannot afford any chance that some paragraphs might be accepted by a small majority due to abstentions. It is also likely that Katz-Suchy<sup>6</sup> will introduce the Polish resolution, in general similar to that of the Soviet. This resolution and each of its paragraphs is, however, more certain of complete repudiation.

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<sup>6</sup> Juliusz Katz-Suchy, Member of the Polish Delegation; Permanent Polish Representative to the United Nations.

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IO Files : US(P)/A/M(Chr)/30

*Minutes of the Thirtieth Meeting of the United States Delegation to the General Assembly, Hotel d'Iéna, Paris, November 18, 1948, 9:15 a. m.*

SECRET

[Here follow a list of persons (31) present and discussion of various subjects.]

### 6. DISARMAMENT: REPORT OF THE FIRST COMMITTEE

Mr. Osborn explained that all delegations recognized the Soviet proposal as pure propaganda. It would be voted down overwhelmingly. He commented that the Commission for Conventional Armaments had been a source of embarrassment for us since it was set up to plan a

reduction of armaments, which was not presently possible, and the United States had had to fight a delaying action in the Commission. Fortunately, the USSR had brought up disarmament originally. The resulting proposal was very satisfactory to the United States. Rolin of Belgium, a great proponent of disarmament, had worked out a scheme which would mean that instead of the CCA attempting to reduce armaments and develop plans for an international agency, it would plan for the receipt, verification and publication of figures on armaments and then make plans for their presentation to the Security Council which would be in a position to set up an international agency. The effect of the proposal would be to open up the USSR to general inspection. He thought it was impossible to imagine that the USSR would accept this proposal, but it would be difficult for it to find reasons to veto the resulting action of the Security Council, once the proposal came to the Council as a result of the inspection, etc.

Mr. Dulles asked whether, if an organ was established to receive, check and publish data on armaments, the United States would be under an obligation to report if the USSR did not. Mr. Osborn said the United States would not, if the USSR did not accept. He thought, and the military advisers had agreed, that it would be possible to work out a form for the transmission of information which would be acceptable to the United States.

No further action by the Delegation was required on this matter.

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IO Files

*Resolution Adopted by the General Assembly*<sup>1</sup>

192(III)

[PARIS, November 19, 1948.]

PROHIBITION OF THE ATOMIC WEAPON AND REDUCTION BY ONE-THIRD  
OF THE ARMAMENTS AND ARMED FORCES OF THE PERMANENT MEM-  
BERS OF THE SECURITY COUNCIL

*The General Assembly,*

*Desiring* to establish relations of confident collaboration between the States within the framework of the Charter and to make possible a general reduction of armaments in order that humanity may in

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<sup>1</sup> The General Assembly considered the report of the First Committee (A/722) at its 161st, 162nd, and 163rd Plenary Meetings November 18 and 19. At the 163rd Meeting, the General Assembly approved the resolution recommended by the First Committee by a vote of 43-6-1, the Communist bloc opposing and Yemen abstaining.

At the same meeting, the General Assembly voted down (6-39-6) a Soviet proposal, A/723, similar to the one rejected by the First Committee; for text, see GA (III/1), *Annexes*, p. 372, or *Documents on Disarmament 1945-1959*, vol. 1, pp. 187-188. Polish resolution A/732, identical with that defeated by the First Committee, was likewise rejected (6-32-5); for text, see GA (III/1), *Annexes*, pp. 398-399. For the pertinent part of the record of the 163rd Plenary Meeting, see GA (III/1), *Plenary*, pp. 545-568.

future be spared the horrors of war and that the peoples may not be overwhelmed by the continually increasing burden of military expenditure,

*Considering* that no agreement is attainable on any proposal for the reduction of conventional armaments and armed forces so long as each State lacks exact and authenticated information concerning the conventional armaments and armed forces of other States, so long as no convention has been concluded regarding the types of military forces to which such reduction would apply, and so long as no organ of control has been established,

*Considering* that the aim of the reduction of conventional armaments and armed forces can only be attained in an atmosphere of real and lasting improvement in international relations, which implies in particular the application of control of atomic energy involving the prohibition of the atomic weapon,

*But noting* on the other hand that this renewal of confidence would be greatly encouraged if States were placed in possession of precise and verified data as to the level of their respective conventional armaments and armed forces,

*Recommends* the Security Council to pursue the study of the regulation and reduction of conventional armaments and armed forces through the agency of the Commission for Conventional Armaments in order to obtain concrete results as soon as possible;

*Trusts* that the Commission for Conventional Armaments, in carrying out its plan of work, will devote its first attention to formulating proposals for the receipt, checking and publication, by an international organ of control within the framework of the Security Council, of full information to be supplied by Member States with regard to their effectives and their conventional armaments;

*Invites* the Security Council to report to the Assembly no later than its next regular session on the effect given to the present recommendation, with a view to enabling it to continue its activity with regard to the regulation of armaments in accordance with the purposes and principles defined by the Charter;

*Invites* all nations in the Commission for Conventional Armaments to co-operate to the utmost of their power in the attainment of the above-mentioned objectives.

Hundred and sixty-third plenary meeting, 19 November 1948.



501.BC Armaments/11-2048 : Telegram

*The Secretary of State, in Paris, to the Acting Secretary of State*

CONFIDENTIAL

PARIS, November 20, 1948—6 p. m.

Delga 858. Re Gadel 542 November 19.<sup>1</sup> USDel and other delegations believe approved disarmament resolution offers opportunity to place work of CCA on new and satisfactory basis. Urge postponement inter-Departmental conferences and Department action until return USDel, particularly Page Smith and Osborn acquainted with latest discussions other delegations Paris.

MARSHALL

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<sup>1</sup>Telegram Gadel 542 read as follows: "Dept like have any comment other Dels and estimate USDel on CCA continuing present order plan work or any deviation therefrom resulting from GA approved disarmament resolution and discussions leading to its adoption." (501.BC Armaments/11-1948)



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